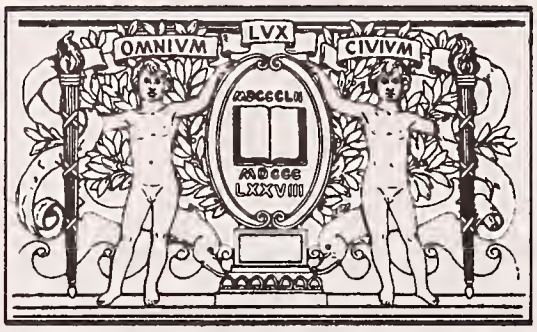

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# CITY OF BOSTON.

## Organization of the City Government,

## JAN. 4, 1869.

The two branches of the City Government met in their respective chambers in the City Hall at 10 o'clock this morning for the organization of the government for the present municipal year.

### BOARD OF ALDERMEN.

His Honor the Mayor, accompanied by Judge Gray of the Supreme Court and the Rev. Mr. Burroughs, entered the Aldermen's room at 10¼. o'clock, the new Board being present.

Shortly after Messenger Spurr announced a messenger from the Common Council, who stated that he was authorized to inform His Honor the Mayor and Aldermen that a quorum of the Common Council was present ready to be qualified.

Mayor Shurtleff said, "You will have the kindness to report that the Mayor and Aldermen will attend the Common Council in Convention for that purpose."

The Mayor and Aldermen then proceeded to the Common Council Chamber, where the two branches met in Convention.

### COMMON COUNCIL.

The Common Council was called to order at 10 o'clock, by Joel Richards of Ward Eight, senior member, who represented Ward Ten in 1853.

On motion of Mr. Hall of Ward One, it was ordered that a committee be appointed to receive the credentials of members.

Messrs. Hall of Ward One, Leighton of Ward Nine, and Vannevar of Ward Eight, were appointed the Committee on Credentials. The committee reported that they had received the credentials of fifty-seven members.

Mr. Denny of Ward Ten moved that a committee be appointed to inform the Mayor and Aldermen that a quorum of members of the Common Council were present and were ready to be qualified.

Mr. Denny was appointed on that committee and soon reported that the Mayor and Aldermen would without delay wait upon the Common Council for their qualification.

#### IN CONVENTION.

His Honor, Mayor Shurtleff, with the Board of Aldermen, came in, accompanied by Justice Horace Gray of the Supreme Judicial Court, Rev. Henry Burroughs, Jr., and others.

Prayer was offered by Rev. Mr. Burroughs.

The oaths of office were administered to the Mayor by Judge Gray.

The oaths of office were administered by the Mayor, first to the members elect of the Board of Aldermen, and then to the members elect of the Common Council.

All of the members of the Board of Aldermen were present. James K. Crowley of Ward Seven and Giles H. Rich of Ward Fourteen, of the Common Council, were not present

The Mayor then proceeded to read his inaugural address.

The reading of the Mayor's address occupied an hour and twenty minutes in its delivery, many portions of it being omitted.

The oaths of office were then administered to James K. Crowley of Ward Seven.

The business of the Convention being concluded, the Convention was dissolved and the Mayor and Aldermen withdrew.

#### ELECTION OF PRESIDENT.

On motion of Mr. Nelson of Ward Nine it was ordered that the Council proceed to the election of President.

Messrs. Nelson of Ward Nine, Snow of Ward Eleven and Jenks of Ward Three, were appointed a committee to receive, sort and count the votes for President.

The committee reported as follows:

Whole number of votes.....59
Necessary to a choice.....30
Wm. G. Harris of Ward Eleven.....58
Francis W. Jacobs of Ward Five..... 1

Mr. Harris was declared elected, and Mr. Pickering of Ward Fourteen was appointed a committee to conduct the President elect to the chair.

The President on taking the chair addressed the Council as follows:

#### ADDRESS OF PRESIDENT HARRIS.

*Gentlemen of the Common Council:* For the expression of your confidence and regard, you will please accept my sincere and heart-felt thanks. Distrusting my ability, but not your forbearance and intelligence, I cheerfully accept the honorable position assigned me, with the sincere purpose to discharge the often delicate duties of a presiding officer with that degree of jusitice and impartiality which shall merit your approval. The duties of the chair are somewhat new to me. If, after some experience, I shall be able to promote your comfort and happiness in the discharge of your official duties, my highest expectations will be realized.

With pleasure I recognize a majority of my associates, as those who have had experience in previous city governments. You will pardon me, if I suggest that the business incident to the organization of the city government be not unnecessarily hurried, as it appears desirable that new members should have ample opportunity of forming a correct judgment on measures which may be proposed.

Gentlemen, let the varied interests represented in our growing municipality receive your careful attention, and at the close of our official service, let us have the satisfaction of knowing that we have done what we could to promote, in the highest degree, the welfare of a city renowned for its enterprise, its virtue, and its intelligence. The Council having thus far been organized, the chair awaits its action.

#### ELECTION OF CLERK.

On motion of Mr. Tucker of Ward Six, it was voted that the Council proceed to the election of Clerk.

Messrs. Tucker of Ward Six, Wilkins of Ward Nine, and Dinsmore of Ward Two, were appointed a committee to receive, sort and count the votes for Clerk.

The committee reported as follows:

Whole number of votes .....58
Necessary to a choice.....30
Washington P. Gregg.....58

Mr. Gregg was declared elected, and the oaths of office were administered to him by John P. Healy, Esq., City Solicitor.

On motion of Mr. Keith of Ward Fifteen it was

Ordered, That a committee be apointed to inform the Board of Aldermen of the organization of the Common Council by the election of Wm. G. Harris as President and Washington P. Gregg as Clerk.

Mr. Keith was appointed the Committee under the order.

#### ASSIGNMENTS.

On motion of Mr. Gray of Ward Twelve, Thursday evening next at 8 o'clock, was assigned for choice of a Standing Committee on Accounts.

Messrs. Gray of Ward Twelve, Jacobs of Ward Five, and Talbot of Ward Four, were appointed a Committee to nominate candidates for such Committee.

On motion of Mr. Wadsworth of Ward Four, Thursday evening next, at 8¼ o'clock, was assigned for the election of Committee on Finance, and Messrs. Wadsworth of Ward Four, Keith of Ward Fifteen, and Poor of Ward Eleven, were appointed a committee to nominate candidates for election as such committee.

#### RULES AND ORDERS.

On motion of Mr. Hopkins of Ward Ten the rules and orders of the Common Council of last year were adopted for the government of the Common Council until otherwise ordered.

Messrs. Tucker of Ward Six, Dinsmore of Ward Two, and Wilkins of Ward Nine, were appointed a Committee to prepare rules for the government of the Common Council the present year.

The same persons were also joined to the Committee of the Board of Aldermen to prepare joint

rules and orders for the government of the City Council the present year.

On motion of Mr. Wilkins of Ward Nine, the joint rules and orders of the Council of last year were adopted until otherwise ordered.

On motion of Mr. Keith of Ward Fifteen, it was ordered that the Mayor be requested to furnish a copy of his address to be printed.

A message was received from the Board of Aldermen, with the statements that the Board had been organized by the choice of President.

A proposition for a further Convention for the choice of City Clerk was concurred in.

MEETINGS OF THE COUNCIL.

On motion of Mr. Batchelder of Ward Four, it was ordered that when the Council adjourn it be to Thursday evening at 7½ o'clock, and that that be the day and the hour for the future meetings of the Council.

IN CONVENTION.

The Mayor and Aldermen came in for a convention for a choice of City Clerk.

Alderman Talbot, and Messrs. Wells of Ward Three, and Pickering of Ward Fourteen, were appointed a committee to receive, sort and count the votes for City Clerk.

The committee reported as follows:

Whole number of votes .....68
Necessary to a choice.....35
Samuel F. McCleary.....66
George P. Darrow..... 1
L. Foster Morse..... 1

Mr. McCleary was declared elected and the oaths of office were administered to him by the Mayor.

The business of the Convention being concluded the Mayor and Aldermen withdrew.

IN COMMON COUNCIL.

The President appointed as the Committee on Elections Messrs. Hall of Ward One, Keaney of Ward Two, Johnston of Ward Twelve, Jenks of Ward Three, and Judson of Ward Fourteen.

ORDERS ADOPTED.

On motion of Mr. Snow of Ward Eleven it was

Ordered, That the Clerk of the Common Council be directed to prepare and cause to be printed a transcript of the Journal of the Council for the current municipal year.

On motion of Mr. Nelson of Ward Nine, it was

Ordered, That the Municipal Register, with the names of members and such other matters as are usually contained therein, be prepared and printed under the direction of the Committee on Joint Rules and Orders.

SEATS OF MEMBERS.

The usual drawing of seats of members took place, under the direction of the President, Clerk, and City Messenger.

PETITION.

Mr. Gray of Ward Twelve presented a petition from Albert J. Wright and others, asking for a recount of the votes in that ward for members of the Common Council. Referred to the Oommittee on Elections. Adjourned.

BOARD OF ALDERMEN.

Upon the dissolution of the Convention the Board of Aldermen assembled in its chamber, his Honor the Mayor in the chair.

The Board proceeded to organize with the following result:

For Chairman, Benjamin James received 11 ballots, their being one blank, and he was declared unanimously elected.

The Mayor retired from the chair and it was occupied by Mr. James, who thanked the Board for this mark of confidence.

Aldermen Richards and White were appointed to draw jurors.

Alderman Richards moved that the Common Council be notified of the organization of this Board by the choice of Benjamin James for Chairman.

The motion prevailed, and a message was sent to the Council to inform that branch of the organization of the Board.

The messenger on his return was accompanied by Councilman James M. Keith of Ward Fifteen, who informed the Board of the organization of the Council by the choice of Wm. G. Harris of Ward Eleven for President, and Washington P. Gregg for Clerk.

On motion of Alderman Pratt, a message was sent to the Common Council proposing a convention for the purpose of choosing a City Clerk for the succeeding municipal year.

A communication was received informing the Board of the concurrence of the Council in the order for a convention.

The Board then (by motion) proceeded to the Council Chamber, where the two branches met in convention.

The Board upon reassembling proceeded to business.

Alderman Talbot moved that the Rules and Orders of the Board of 1868 be adopted as the Rules and Orders of this Board, until otherwise ordered, and that Aldermen (blank) be a committee to examine and report if any alterations are required therein. Adopted, and Aldermen Talbot, White and James were appointed as that committee.

Alderman Richards presented an order "That a special committee, consisting of two on the part of this Board with such as the Common Council may join, be appointed and authorized to exercise all the powers in reference to the Church Street District conferred by the City Council of 1868, upon the committee on said district." Passed, and Aldermen Richards and James were appointed on said committee.

On motion of Alderman Bradlee, Monday at four o'clock P. M. was assigned as the day and hour for holding the regular meetings of this Board until otherwise ordered.

The Board then proceeded to ballot for Committee on Accounts, with the following result:

Whole number of votes.....11
Necessary to a choice..... 6
Benjamin James had.....11
Edward A. White.....11
Moses Fairbanks.....11

And they were declared elected.

Alderman James presented the following order:

"That the members of the Board of Aldermen, and one member of the Common Council from each Ward, be a committee to determine and pay the allowances of "State aid" to the families of disabled soldiers and sailors and the families of the slain, pursuant to the acts of the Legislature of this Commonwealth; and that said Committee have power to employ a Paymaster and such clerical assistants as may be required for this purpose, and that the expense thereof may be charged to the appropriation for war expenses.

Passed and sent down for concurrence.

Aldermen Seaver and Fairbanks were joined to the Committee on Joint Rules and Regulations. Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

### JAN. 7, 1869.

The first regular meeting of the Common Council for the present year was held at 7½ o'clock this evening, the President, William G. Harris, in the chair.

QUALIFICATION OF A MEMBER.

Mr. Pickering of Ward Fourteen presented the credentials of Giles H. Rich, member elect from Ward Fourteen.

The oaths of office were administered to Mr. Rich by John P. Healey, Esq., City Solicitor, and an order was passed that a message be sent to the Board of Aldermen to inform that branch of his qualification.

PAPERS FROM THE BOARD OF ALDERMEN.

On the order appointing Aldermen Richards and James, with such as the Common Council may join, a Committee on the Church Street District, there were joined on the part of the Common Council, Messrs. Wadsworth of Ward 4, Leighton of Ward 9, and Hopkins of Ward 10.

On the order appointing the members of the Board of Aldermen, with one member of the Common Council from each Ward, a Committee on State Aid to the families of disabled soldiers and sailors, and of the slain, the following-named persons were joined:

Ward 1, J. H. Pote; 2, M. Keany; 3, T. L. Jenks; 4, N. H. Daniels; 5, M. J. Cole; 6, H. G. Tucker; 7, J. K. Crowley; 8, E. B. Vannevar; 9, W. Frost; 10, C. S. Butler; 11, G. E. Leonard; 12, G. H. Johnston; 13, J. T. Ryan; 14, G. C. Judson; 15, J. A. Rogers.

REPORTS OF COMMITTEES.

Mr. Tucker of Ward Six, from the Committee to Prepare Rules and Orders for the Government of the Common Council during the present municipal year, reported an order, as follows:

Ordered, That the rules and orders of the last Common Council be adopted as the Rules and Orders of this Common Council, until otherwise ordered.

The report was accepted, and the Rules and Orders were adopted.

Mr. Tucker of Ward Six from the Joint Special Committee to prepare joint rules and orders for the government of the City Council during the present municipal year, made a report as follows:

Ordered, That the rules and orders of the last City Council be adopted as the rules and orders of this City Council, with the following amendments, viz:

Insert after the seventh paragraph, on page 40 of the Municipal Register, for 1868, the following paragraph:

"A Committee on the City Surveyor's Department, to consist of two Aldermen, and three members of the Common Council."

In the first line of the ninth paragraph (Committee on Printing) strike out the word "one" and insert in the place thereof the word "two."

In the second line of said paragraph, strike out the word "two" and insert the word "three" (making two Aldermen and three members of the Common Council to constitute the committee.)

The report was accepted, and the rules and orders were adopted.

Mr. Wadsworth, from the committee to nominate candidates for a Committee on Finance, made a report, recommending the election of the following-named persons: Francis A. Osborn, George P. Denny, Samuel T. Snow, Henry W. Pickering, Melville E. Ingalls, Thomas Dinsmore, Joel Richards.

The report was accepted.

Mr. Gray of Ward Twelve, from the Committee to nominate candidates for a Committee on Accounts on the part of the Common Council, made a report recommending the election of the following named persons:

Edward E. Batchelder, Wm. M. Flanders, Frederick A. Wilkins, Wm. Hobbs, Jr., Granville T. W. Braman. The report was accepted.

RECOUNT OF VOTES IN WARD TWELVE.

Mr. Hall of Ward One, from the Committee on Elections, on the petition of Albert J. Wright and others, for a recount of the votes for members of the Common Council for Ward Twelve, made a report that the votes had been carefully recounted, with the following result:

| | |
|---|---|
| George H. Johnston had | 812 |
| Hollis R. Gray | 750 |
| Solomon A. Woods | 739 |
| Melville E. Ingalls | 654 |
| Henry W. Wilson | 615 |
| Thos. Leavitt | 574 |
| U. L. Pettingill | 553 |
| Chas. Harwood | 516 |
| Scattering | 18 |

By this result, it appeared that the sitting members had been duly elected.

The report was accepted.

COMMITTEES TO NOMINATE PUBLIC OFFICERS.

On motion of Mr. Hall of Ward One, it was ordered that a Committee of —, with such as the Board of Aldermen may join, be appointed to nominate Chief and Assistant Engineers of the Fire Department. This motion was subsequently amended, on motion of Mr. Gray, so as to make the Committee on the part of the Council to consist of one from each Ward. The President appointed the Committee as follows:

Ward 1, Hall; 2, Doherty; 3, Wells; 4, Wadsworth; 5, Flanders; 6, Tucker; 7, Flynn; 8, Squires; 9, Frost; 10, Butler; 11, Poor; 12, Johnston; 13, Ryan; 14, Rich; 15, Conant.

The following Committees were appointed on several motions, to be joined by the Board of Aldermen, for the nomination of candidates for the Boards designated, namely:

To Nominate a Water Board—Messrs. Snow of Ward 11; Hopkins of Ward 10; Flynn of Ward 7

To fill vacancies existing in the Board of Directors of Public Institutions—Messrs. Batchelder of Ward 4, Woolley of Ward 1, Jacobs of Ward 5.

To nominate Trustees of the City Hospital—Messrs. Osborn of Ward 6, Learnard of Ward 11, Hobbs of Ward 14.

To nominate Trustees of the Public Library—Messrs. Hopkins of Ward 10; Leighton of Ward 9; Rogers of Ward 15.

To nominate Superintendents of Bridges—Messrs. Gray of Ward 12; Lucas of Ward 7; Bond of Ward 8.

To nominate Trustees of Mount Hope Cemetery—Messrs. Woolley of Ward 1, Malone of Ward 2, Belknap of Ward 3.

To nominate a City Physician—Messrs. Jacobs of Ward 5, Tucker of Ward 6, Hobbs of Ward 14.

To nominate a Superintendent of Health—Messrs. Jenks of Ward 3; Osborn of Ward 6; Young of Ward 1.

COMMITTEE ON MAYOR'S ADDRESS.

On motion of Mr. Keith of Ward 15, Messrs. Keith of Ward 15, Osborn of Ward 6, and Pickering of Ward 14, with such as the Board of Aldermen may join, were appointed a committee to consider and report what disposition should be made of the various topics embraced in the Mayor's inaugural address.

SPECIAL ASSIGNMENTS.

The special assignment, the election of a Committee on Accounts on the part of the Common Council, was taken up.

Messrs. Squires of Ward Eight, Hopkins of Ward Ten, and Jenks of Ward Three, were appointed a committee to receive, sort and count the votes. The committee reported as follows:

| | |
|---|---|
| Whole number of votes | 57 |
| Necessary to a choice | 29 |
| Edward E. Batchelder | 57 |
| Wm. M. Flanders | 55 |
| Frederick A. Wilkins | 28 |
| Wm. Hobbs, Jr. | 35 |
| Granville T. W. Braman | 55 |
| John W. Leighton | 28 |
| H. W. Pickering | 19 |
| Frederick Wilkins | 1 |
| F. A. Osborn | 1 |

The President declared the five first named to be elected, when a question was raised, and it was stated that Mr. Wilkins did not appear to have the required number for a choice.

Mr. Nelson of Ward Nine asked if there was not one vote for Frederick Wilkins, and whether that should not be counted, since it was evident for whom it was designed?

The President said the vote should be counted or Frederick A. Wilkins.

Mr. Jenks of Ward Three, said that this was the first time in his life that he had heard of such a decision. In his own case, in an election by the people, he was counted out of his seat by throwing out votes not having his middle name, and in every contested case in the State the decisions were against that made in this case.

Mr. Wilkins said he hoped the Council would proceed to another election, for he did not wish to be declared elected, if there were any doubt in the matter.

Mr. Nelson cited the election of Marcus Morton as Governor, as a case in point, where a vote given for Marcus Moses was counted for Marcus Morton.

Mr. Rich of Ward Fourteen said that by the rules of law the middle name was not an essential part of a man's name, and as there could be no doubt in this case, it was clear that Mr. Wilkins was elected.

The President said he should take the responsibility to declare Mr. Wilkins as elected.

The election of a Committee on Finance of the Common Council was taken up, by assignment.

Messrs. Wadsworth of Ward 4, Kingsbury of Ward 15 and Flanders of Ward 5 were chosen a Committee to receive, sort and count the votes.

The Committee reported as follows:

| | |
|---|---|
| Whole number of votes | 57 |
| Necessary to a choice | 29 |
| Francis A. Osborn | 46 |
| George P. Denny | 52 |
| Samuel T. Snow | 54 |
| Henry W. Pickering | 53 |
| Melville E. Ingalls | 54 |
| Thomas Dinsmore | 53 |
| Joel Richards | 54 |
| Scattering | 18 |

The above-named were declared elected.

ORDER PASSED.

On motion of Mr. Wadsworth of Ward Four, it was Ordered, That the Mayor be requested to petition the Legislature for authority to the Water Board to regulate the speed of travel on the driveway of the Chestnut Hill Reservoir, in the towns of Brighton and Newton.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## JAN. 11, 1869.

The regular weekly meeting of the Board of Aldermen was held at 4 o'clock this afternoon, his Honor, Mayor Shurtleff, presiding.

Alderman Talbot, from the Committee on Rules and Orders for the Government of the Board of Aldermen, reported the rules and orders of last year, with an amendment to section 23, striking out the words "in consultation with the chairman of this Board." The amendment was passed and the rules and orders, as amended, were adopted.

COMMON COUNCIL PAPERS.

The following orders were passed in concurrence:

Order for adoption of old joint rules till new ones are reported.

Order for Mayor to furnish copy of his address.

Order for preparation of Municipal Register for 1869.

Order for Mayor to petition Legislature for authority to regulate the rate of speed for horses on Chestnut Hill roadway.

COMMITTEES JOINED.

The following named committees were joined to the Committees of the Common Council on the nomination of candidates for election to the several boards named, and for other purposes:

Mayor's Address—James, Talbot.

On Nominating Water Board—Richards, Seaver.

Superintendents of Bridges—Talbot, Van Nostrand.

Directors of Institutions—Seaver, Bradlee.

Trustees of City Hospital—Fairbanks, White.

Trustees of Public Library—Pratt, Baldwin.

Trustees of Mount Hope Cemetery—Rice, Van Nostrand.

City Physician—Hawes, Fairbanks.

Superintendent of Health—Bradlee, Fairbanks.

Chief and Assistant Engineers—The whole Board of Aldermen.

Committee on Finance—The Mayor and Chairman of this Board, ex-officiis.

Aldermen James and Richards were appointed, to be joined, to report in print orders establishing the salaries of the several city officers during the ensuing year.

STANDING COMMITTEES.

The Mayor announced the several Standing Committees, as follows:

Armories and Military Affairs—Baldwin, Hawes and Van Nostrand.

Assessors' Department—Van Nostrand, Rice and Fairbanks.

Bridges—Seaver, James and Hawes.

County Accounts—Pratt, Bradlee and Talbot.

Cemeteries—Bradlee, Pratt and Hawes.

Common and Public Squares—James, Richards and Bradlee.

Faneuil Hall—Richards, James and Seaver.

Ferries—Seaver, Talbot and Pratt.

Fire Department—Richards, Seaver and Hawes.

Health—White, James and Richards.

Jail—Rice, Baldwin and Van Nostrand.

Lamps, Bells and Clocks—Pratt, Seaver and Bradlee.

Licenses—White, Fairbanks and Rice.

Markets, Weights and Measures—Seaver, Pratt and Rice.

Paving—James, Richards and Rice.

Police—Seaver, White and Fairbanks.

Sewers—Fairbanks, Baldwin and Talbot.

Steam Engines—Hawes, Fairbanks and Van Nostrand.

Streets—Talbot, White and Baldwin.

JOINT STANDING COMMITTEES.

Assessors' Department—Van Nostrand, Talbot and Baldwin.

Bathing—Van Nostrand, Fairbanks and Pratt.

Claims—Talbot, White and Baldwin.

Engineers' Department—Hawes and Pratt.

Fire Alarms—Richards and Hawes.

Fuel—Fairbanks and Pratt.

Harbor—Hawes and Van Nostrand.

City Hospital—Baldwin and Talbot.

Institutions at South Boston and Deer Island—James, Richards and Seaver.

Ordinances—Bradlee, Fairbanks and Talbot.

Overseers of the Poor and Temporary Home—Bradlee and White.

Printing—Talbot and Fairbanks.

Public Buildings—Richards, James and Seaver.

Public Instruction—White, Pratt and Bradlee.

Public Lands—James, Richards and Van Nostrand.

Public Library—Baldwin, Talbot and White.

Surveyors' Department—Talbot and Rice.

Treasury Department—Rice and Baldwin.

Water—Hawes, Talbot and Rice.

PETITIONS PRESENTED AND REFERRED.

Eames & Tucker, for leave to erect a stable for nine horses, in Brookline street. Referred to Committee on Health.

Philip Davies, that the city would establish a Temporary Home for Inebriates. Referred to Committee on Overseers of the Poor.

E. A. Cushing and others, for compensation for injury to their building on Chauncy street by the removal of the adjacent building on Avon place.

Leeds, Robinson & Co. and others, that Shoe and Leather street be called John street.

John C. Crowley and others, that Paris street, northeast of Porter street, be accepted and graded.

C. G. Putnam, for an apportionment of assessment of taxes for betterments on Temple place.

Foster & Taylor and others, for the immediate laying out and grading of all the streets on Fort Hill.

Severally referred to the Committee on Streets.

A. A. Whitebone, to be licensed as pawnbroker. Referred to Committee on Licenses.

Edward S. Rand and other conveyancers, that D. S. Gilchrist be employed to make the early classified indexes to Suffolk Deeds.

Judge and Register of Probate, that certain papers in their offices be filed, &c.

Severally referred to Committee on County Accounts.

Milo Whitney, for leave to erect a steam engine at No. 1057 Washington street.

German Catholic Society in Suffolk street, respecting the widening of said street on their premises.

RESIGNATION OF A TRUSTEE OF THE PUBLIC LIBRARY.

The Mayor submitted the following communication:

*To the Board of Aldermen and Common Council of the City of Boston:*

Herewith I transmit to you a communication from Hon. John P. Bigelow, ex-Mayor of this city, tendering his resignation of the office of Trustee of the Public Library, which he has held by uninterrupted elections from the time of its institution until the present time. I need not recall to mind the fact that Mr. Bigelow has ever been an ardent friend of the Library, and that he gave the first money that was received towards its foundation, except to state my own personal regret that his present feeble health demands the severance of the tie which has for so long a time connected a former civic magistrate and early benefactor and constant friend to the Library with the active management of an important branch of the City Government.

N. B. SHURTLEFF.

Referred to the Committee on Nomination of Trustees of the Public Library.

AUDITORS MONTHLY EXHIBIT.

The Auditor's Monthly Exhibit, was submitted, presenting an exhibit of the general and special appropriations for the present financial year, as shown by the books of his office, including the January draft, being nine months' payment of the financial year. A recapitulation of the statement is as follows:

| | Appropriations, Revenues, etc. | Expended. | Unexpended. |
|---|---|---|---|
| General.... | $7,127,548 02 | $5,125,425 68 | $2,002,122 34 |
| Special.... | 3,907,844 93 | 2,435,227 34 | 1,472,617 59 |
| | $11,035,392 95 | $7,560,653 02 | $3,474,739 93 |

ANNUAL REPORTS.

Annual reports from the several departments of City Government were made as follows:

SUPERINTENDENT OF PUBLIC LANDS.

The sales of lots of public land belonging to the city during the last year, amounted to forty, containing 251,114 square feet, for the sum of $267,-455 22. The receipts on the above amounted in cash to $33,834 22, and there was received for wharfage and rents $3588 27; received for entries into the common sewers $2246 65—all of which was paid into the city treasury. The total amount of expenditures was $14,087 49.

SUPERINTENDENT OF SEWERS.

The ninth annual report of the Superintendent of Sewers states the expenditures of his department during the year to have been $81,318 63. Of this amount the appropriation for sewers was $76,518 45; for Stony Brook sewer appropriation $4800.

The report gives a detail of the work which has been done, a recapitulation of which is as follows: City proper, 2557 feet of sewers, costing $8998 31; South Boston, 1503 feet, at a cost of $3563 94; East Boston, 325 feet, at a cost of $906 39; Roxbury, 14,975 feet, at a cost of $52,260 31. Miscellaneous expenses, $15,589 68. The total work amounted to 19,360 feet of sewers, costing $81,318 63. In addition to this, there has been laid for the Internal Health Department 430 feet of pipe in Dunlow street, and 234 feet of wood sewerage in Orange court.

The Superintendent states that the annexation of Roxbury had imposed double work upon the Sewer Department, and had doubled the expenses. The demand for sewerage from that section had been greater than they had been able to supply, and another year would greatly increase the demand. The work on the Stony Brook Sewer had been finished, and the course of the brook improved. The drainage at the South End is referred to, as requiring attention and fruitful of trouble. In the Church street district it will be necessary for the present to use the old drains, but in another season the old ones will require reconstruction. In the construction of Atlantic avenue, six large sewers will be interfered with in their outlet, and measures must be taken for their extension.

REPORT OF THE SUPERINTENDENT OF PUBLIC BUILDINGS.

The annual report of the Superintendent of Public Buildings, in accordance with the requirements of the city charter, gives a statement of the number of buildings under his charge, the condition of the same, and the amount of expenditures thereon during the year.

*Public Buildings.* The expenditures for repairs, alterations and improvements of public buildings during the year, were as follows:

Alterations, repairs, supplies, water, gas and furniture, $87,257 39; rents, $3441 81; fuel, $3051 73; care and cleaning, $6,565 91. Total, $100,310 84.

*County Buildings.* There has been expended for care, supplies, repairs and furniture, $11,156 25; and for fuel $3713 71, making a total of $14,869 96.

*Grammar Schoolhouses.* Expended for repairs, alterations and supplies, $54,263 21; fuel, $23,435 86; rents, $3022; care and cleaning, $18,784 36—total, $99,505 43.

*Primary Schoolhouses.* Expended for repairs, alterations, &c., $51,562 10; fuel, $15,756 18; rents, $3992 22; care and cleaning, $14,584 61; total, $85,-895 17.

*Extraordinary Expenses.* New grammar schoolhouse in Ward Twelve, containing fourteen school rooms, 32 by 29 feet, and an exhibition hall, to be ready for occupancy next September, and will cost $100,000.

Grammar Schoolhouse, Ward Nine, containing fourteen schoolrooms, 29 by 33.10 feet, and an exhibition hall, to be ready for occupancy in September next, and will cost $100,000.

Primary Schoolhouse, Ward Seven, containing six schoolrooms, 23 by 28 feet, to be ready in March next, and to cost $40,000.

Police Station House, Ward Fifteen, will be completed in April next, and cost $50,000.

Hose House in Church street, to contain accommodations for Hose Co. No. 8, and a ward room for Ward 9, will be completed in April and cost $20,000.

Hose House on North Grove street, for Hose Co. No. 3. An appropriation of $18,000 has been made for the erection of the house, which will be completed in June next.

During the past year, the following buildings have been completed: Norcross Grammar Schoolhouse, Wells Grammar Schoolhouse, Lewis Grammar Schoolhouse, the last costing $68,000 The Freeman Primary Schoolhouse on Charter street, has been erected at a cost of $30,000. The other buildings completed were: Hose House on Salem street, Engine House No. 1, and Ward Room, Ward 12, Central Charity Bureau and Temporary Home.

An addition to the stable on the Alms House lot, Boston Highlands, has been built for use of the Internal Health Department.

The Unitarian Church, corner of Maverick and Bremen streets, has been purchased and converted into an armory for the military companies in Ward One, at a cost of $8841 81. The lot contains 4335 feet.

A lot of land on Newton street, containing 26,600 feet, has been purchased at a cost of $49,884 67, as a site for a Normal Schoolhouse.

A lot of land in Ward Thirteen, containing 11,600 feet, has been purchased at a cost of $5801 50, as a site for a police station house.

A list of the various buildings owned by the city, and those which are hired, is given in the report, also the extent and value of the People's Ferry property.

SUPERINTENDENT OF HEALTH.

The report of this official states that the appropriations for his department for the financial year 1868-9 were $277,500, and the unexpended balance $61,135 75. The amount expended during the financial year 1867-68, from Jan. 1 to May 1, was $63,-730 97. Expended from May 1 to Jan. 1, 1869, $216,-364 25. Total expenditures, $280,095 22. This amount was expended as follows:

Sweeping and cleaning the streets, cleaning cesspools and removal of snow and ice from walks, yards, public garden, &c., $96,688 25. [The cost of removing snow, ice, &c., was 267 days team work at $3 a day, $801, and 3792 half days labor at a cost of $6940, making the whole amount $7741 28.] Collection of house offal and dirt in the city proper. $78,183 45. Corn, meal, oats, hay, &c., $24,634 49, For pay of firemen, feeders, blacksmiths and other principal men, twenty-four in number, $21,664 50. Purchase of new horses and exchange of old ones, $11,028 50.

The report gives a detailed account of the expenditures of the department for the repairs of drains, abating nuisances, &c., also for "sundry expenses of the Committee, visitation to New York, entertaining guests, carriage hire and refreshments, $903 75," making a total of expenditures for the year, $280,095 22.

The bills deposited with the City Treasurer for collection, amounted to $30,006 91, and the amount collected and paid into the treasury to the credit of the department, was $28,695 76, of which sum $13,563 11 was paid during the present financial year.

The number of paupers and prisoners conveyed by the department during the year was as follows.

From Court House to Jail, 4112; to steamer Henry Morrison, for Deer Island, on sentence, 2636; to railroad depot for State Almshouse, 931; House of Correction, 459; from Jail to Court House 300; to House of Reformation, 146; to Deer Island (permits) 129; to No. 59 Long wharf and Charles street Home, 125; Lunatic Hospital, 30—total, 8968.

One vehicle is provided by this department for carrying prisoners from the several police stations to the city lock-up under the Court House, and for which the Police Department is charged twenty-five cents per head. The returns show the number so conveyed to have been 5840 males and 2438 females, making a total of 8278.

The Superintendent says of the "sanitary condition" of the city, that during the year 1928 persons have been notified to abate nuisances on their premises, and of this number 403 were in the Highland District. During the year 482 orders were passed by the Board of Aldermen instructing the Superintendent to abate nuisances and charge the expense to persons so notified. A portion of the orders passed received immediate attention; and the remainder required no action, the nuisances having been abated.

The annexation of Roxbury brought a large tract of territory to the care and custody of this department and the government, and with it many aggravated cases of nuisance, some of the most prominent of which are Ward & Co.'s bone boiling establishment and Merrill's soap works. The nuisance arising from these establishments has been unbearable, and all the attempts to cause a desirable change in a sanitary point of view by this department have proved unsuccessful, yet a good work has been performed in certain localities by the vigilance of those intrusted with this special work. Stringent measures will be required in other cases, and it is believed that another year's labor will cause greater improvements than have heretofore been made.

The Superintendent says of tenement buildings, "the present year, it is to be hoped, will witness a decided change for the better as regards the construction of tenement buildings, and the occupancy of cellars, and with the aid of the police much can be done for the common good of our city."

On the subject of sewerage, the Superintendent says, a great demand has been made upon the department for drainage in many of the unoccupied streets of Boston Highlands, as well as in the city proper. Many tenants are suffering for the want of drainage to estates occupied by them, and the owners are ready and willing to enter such sewers whenever they shall be constructed, but the present low grade at the Highlands, in certain parts, and a want of connection with the mains, has prevented this department from accomplishing an object so much to be desired.

The Superintendent calls attention to the want, long felt, of a deposit for ashes and other material collected by the city, severely so during the last year, on account of the extreme locations southerly in which the dumps are made. There are now several orders from the Board of Aldermen requiring deposits at such distances as must involve a large expense by hiring or purchasing additional teams, and require an additional appropriation of at least $20,000. It is estimated that each load of ashes collected by the city costs $1 50, leaving a deficit of $1 for each load, on which the Board of Aldermen establishes the prices in all cases. It is recommended that convenient places for dumps be at once established on the line of the projected Atlantic avenue, to facilitate the labor and lessen the expense of this department.

The sanitary police station on Flagstaff Hill, Boston Common, has been visited during the year for the purposes for which it is intended, by 116,770 persons, showing conclusively the importance of constructing others in different localities throughout the city.

From the growth of the city and the demands of the citizens on this department, the Superintendent suggests that it should be relieved from the work of cleaning snow from the public walks, yards and squares, which would enable it to afford greater facilities for keeping up the work.

### REPORT OF THE CHIEF OF POLICE.

The report of the Chief of Police gives a great variety of statistics relative to his department of the public service.

The whole number of arrests during the year was 19,975, of which 14,122 were committed for examination or trial; 15,781 were males; foreigners, 13,961; non-residents, 4344; minors, 3951. The nativity of the parties was as follows: United States, 5232; British Provinces, 369; Ireland, 12,814; England, 575; France, 102; Germany, 350; Africa, 172; Italy, 40; Portugal, 18; Poland, 6; Scotland, 62; Canada, 50; Sweden, 15; Spain, 11; and from fifteen other countries, 37.

The nature of crimes and offences for which arrests were made were as follows: Assault and battery, 1421; felonious assaults, 168; assaults on officers, 21; assault with weapons, 4; attempts to commit rape, 9; attempt to break and enter, 21; breaking and entering, 179; common drunkards, 466; common railers and brawlers, 4; counterfeiting, 3; cruelty to dumb animals, 10; drunkenness, 8229; disturbing the peace, 122; disorderly, 2328; deserters, 66; disturbing public meetings, schools, &c., 10; embezzlement, 28; escaped convicts, 18; fast driving, 20; fraud, 14; forgery, 12; gambling, 16; gaming on the Lord's day, 83; idle and disorderly, 46; insane, 121; keeping houses of ill fame, 64; keeping noisy and disorderly houses, 9; larceny, 1042; felonious larceny, 406; malicious mischief, 202; murder, 8; manslaughter, 4; night walking, 353; obtaining money and goods under false pretences, 16; pickpockets, 40; polygamy, 5; runaways, 30; rape, 10; robbery, 78; receiving stolen goods, 42; suspicion of larceny, 87; suspicious persons, 1160; stubborn children, 86; truants, 222; violation of city ordinance, 242; violation of Sunday law, 62; vagrants, 214.

The number of persons furnished with lodgings was 30,560, of whom 24,833 were males, 20,090 were foreigners, 23,738 non-residents, 4785 minors. The nativity of these persons is reported as follows: United States, 10,077; British Provinces, 508; Ireland, 15,656; England, 1819; France, 311; Germany, 795; Africa, 250; Italy, 35; Portugal, 26; Poland, 4; Sweden, 46; Spain, 29; Scotland, 757; Canada, 123; and 69 from fourteen other countries.

The amount of property taken from prisoners and lodgers while in custody, and restored as per their receipts was $55,066 61. Amount of property reported as stolen, $126,008; amount reported as recovered $107,125 87. Amount of fines imposed by the Courts on parties arrested was $37,097 37, and the amount of witness fees covered $10,291 24. Number of days spent in Court by officers was 7482½. The aggregate amount of imprisonment imposed was 1202 years, 10 months and 16 days. The number of despatches sent over the police telegraph was 4579. The number of larcenies reported at the several police stations was 1914, and the number of arrests for committing the same was 1492.

The following table shows the amount and cost of buildings erected during the past year, within the limits of the several Police Stations:

| Station. | Stone. | Cost. | Brick. | Cost. | Wood. | Cost. | Total. | Total Cost. |
|---|---|---|---|---|---|---|---|---|
| 1 | | | 6 | $244,000 | 13 | $78,900 | 19 | $322,900 |
| 2 | 11 | $1,128,000 | 7 | 133,000 | 2 | 5,000 | 25 | 1,267,000 |
| 3 | | | 68 | 1,207,000 | 12 | 60,500 | 80 | 1,267,500 |
| 4 | 19 | 662,000 | 60 | 1,229,000 | 7 | 29,000 | 86 | 1,920,000 |
| 5 | 38 | 787,000 | 307 | 3,724,200 | 47 | 139,100 | 392 | 4,650,300 |
| 6 | | | 34 | 304,500 | 250 | 755,700 | 265 | 1,060,200 |
| 7 | | | 14 | 97,600 | 83 | 193,000 | 97 | 290,600 |
| 8 | | | | | 2 | 5,700 | 2 | 5,700 |
| 9 | 7 | 33,000 | 70 | 628,300 | 287 | 887,800 | 364 | 1,592,100 |
| 75 | $2,913,000 | 575 | $7,607,600 | 704 | $2,155,700 | 1359 | $12,376,300 | |

The amount of shipbuilding was as follows:

| | | | |
|---|---|---|---|
| 3 steamers | 3,800 | tons | $575,000 |
| 11 ships | 13,725 | " | 1,078,000 |
| 1 dredge | 700 | " | 229,000 |
| 3 barques | 2,100 | " | 158,000 |
| 4 schooners | 795 | " | 62,500 |
| 1 sloop | 50 | " | 7,000 |
| 3 yachts | 30 | " | 3,200 |
| 58 boats | | | 4,600 |
| 84 | 21,200 | | $2,117,300 |

Under miscellaneous matters there were reported: Accidents 515, arrested on warrants 268, boats challenged 3783, buildings found open and secured 2081, cases investigated 1180, defective lamps 15,868, defective water pipes 71, defective drains, vaults and nuisances 1334, defective cesspools 126, defec-

ive hydrants 97, disturbances suppressed 8130, dead bodies provided for 108, fires extinguished without alarm 106, injured persons provided for 296, intoxicated persons helped home 1955, lost children restored 771, rescued from drowning 40, street obstructions removed 27,400, stray teams put up 197, water running to waste 251, vessels boarded 1057.

Liquor trade—Number of wholesale dealers, 353; retail dealers, 1729; total, 2052; unlicensed, 224.

Houses of doubtful reputation—Number of houses, 123; assignation only, 49; persons keeping girls, 73; number of girls, 252.

Gaming establishments—Billiard rooms, 66; billiard tables, 242; bowling alleys, 11; bagatelle rooms 16, with 18 boards; prop and faro rooms, 1.

The police force has been increased from 376 to 412; 4 have died; 17 resigned; 16 were discharged; new appointments, 72.

SUPERINTENDENTS OF BRIDGES.

*Dover Street Bridge.* Number of vessels which passed through the draw during the year was as follows: January, 17; March, 82: April, 200; May, 322; June, 392; July, 470; August, 472; September, 511; October, 638; November, 460; December, 384. Total, 3848.

*Meridian Street Bridge.* Number of vessels which passed through the draw during the year was as follows: January, 44; February, 55; March, 117; April, 137; May, 158; June, 244; July, 275; August, 296; September, 307; October, 292; November, 234; December, 198. Total, 2357.

*Chelsea Street Bridge.* There were but 14 vessels which passed through the draw.

*Mount Washington Avenue Bridge.* The number of vessels which passed the draw during the year was 10,865.

QUARTERLY REPORTS.

Quarterly reports were made as follows:

*Superintendent of Health.* Expended for the quarter ending Dec. 31, 1868: Sweeping and cleaning the streets, removal of ashes, offal, etc., $75,868 06. Bills against sundry persons have been deposited with the City Treasurer for collection to the amount of $16,085 70. Amount paid into the Treasury, $3045 35. Number of prisoners conveyed from the several Station Houses to City Lock-Up—males, 1728; females, 688—total, 2416.

*Weighers and Inspectors of Lighters.* Receipts for the quarter, for inspection $955 75; expenses of office $24 77; net income, $930 98, which has been divided among the incumbents.

*Hay Weigher North Scales.* Receipts for the quarter, $718 81, three-eights of which, deducting expenses, $12 85, amounting to $256 70, have been paid to the City Treasury.

*Weights and Measures.* The receipts during the quarter at the scales for the Northern district amounted to $436 33, all of which has been paid into the City Treasury. The receipts at the scales for the Southern district amounted to $425 21, all of which was paid into the City Treasury.

*Superintendent of Streets.* Expended for the quarter, $123,540 74. Bills to the amount of $13,691 19 were deposited with the City Treasurer for collection, and $1768 59 were paid into the Treasury.

*Truant Officers.* The annual reports of the Truant Officers give the following results:

Number of cases investigated during the quarter 3216, old truants previously reported 52, new cases 112, number found to be truants 164, aggregate absences by truancy 673, complained of before the Municipal Court as habitual truants 35, on probation 11, sentenced to House of Reformation 24, complained of as absentees 32, on probation 4, sentenced to the House of Reformation 28. Before Judge of Probate—complaints other than truancy 10; on probation 2, sentenced to State Reform School 4, sentenced to School Ship 3, sentenced to Industrial School for Girls 1.

ASSIGNMENT OF A HEARING.

An order of notice was reported for a hearing on petition of Milo Whitney for leave to erect a steam engine at No. 1057 Washington street, the hearing to take place, Feb. 1, 4 P. M.

ADDITIONAL APPROPRIATIONS FOR THE CHURCH STREET DISTRICT.

The joint special committee on the Church Street District made a report, stating that an additional appropriation is now required to carry on the work authorized by the City Council. The report is as follows:

The appropriations made last year amounted to $400,000.

The payments up to the present time have been as follows:

| | | |
|---|---|---|
| To contractors for raising buildings and putting in underpinning | | $231,138 47 |
| To contractor for gravel filling | | 62,500 00 |
| Damages to estates on the line of Columbus avenue extension | | 47,194 44 |
| Estates surrendered, including mortgages | | 27,617 00 |
| Lease surrendered | | 500 00 |
| Removing edge stones, crossings, etc. | | 2,781 63 |
| Labor and material fitting up buildings | | 1,146 99 |
| Teaming, fences, lanterns, oil and small items | | 491 13 |
| Salaries—Commissioners | $2,523 27 | |
| Clerk | 841 09 | |
| Police, etc. | 3,171 64 | |
| Engineers, including expenses | 303 17 | |
| | | 6,839 17 |
| Furniture, rent and care of office | | 208 36 |
| Printing, stationery, etc | | 118 25 |
| Expenses of committee | | 656 17 |
| Total | | $381,191 61 |
| Special drafts in the office of the Auditor of Accounts to be paid | | 32,138 00 |
| | | $413,329 61 |

It will be perceived that only $293,638 47 of the above amount has been expended for raising the buildings and the grade of the territory. The expenditure authorized for this purpose by the last City Council was $650,000. As two-thirds of the work of raising the buildings and filling the territory has been performed at the present time, there appears to be no doubt that the whole will be completed within the estimates.

The amounts paid for estates surrendered to the City, and for land taken and damages occasioned by the extension of Columbus avenue, and the widening of Marion, South Cedar, Piedmont, Shawmut, Berlin, and Tennyson streets, and that portion of Tremont street which lies within the Church Street District, are not to be included, of course, within the amount authorized to be expended for raising the buildings and the territory—that work having been ordered after the estimates for raising the building and the grade had been made. To perform all the work which the Committee and the Commissioners are authorized to perform, loans will be required probably to the amount of a million dollars.

The estates surrendered can undoubtedly be sold for more than the city pays for them; and a considerable portion of the expense for extending and widening streets will be assessed upon the estates benefited before they are re-conveyed to the former owners.

The committee would respectfully request the passage of the accompanying order, making an appropriation of three hundred thousand dollars, for the purposes specified.

For the Committee,
FRANCIS RICHARDS, Chairman.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of three hundred thousand dollars, to be applied to raising the territory and buildings on the Church Street District, paying for any estates on said district, taken under the provisions of Chapter 308, of the Acts of 1867, and for damages on account of widening and extending streets; said sum to be added to the loan heretofore authorized for the same purpose.

The order was read twice and passed unanimously.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of granting a license to Solomon Aaron to give a sparring exhibition at Revere Hall; also, on petition of Thos. Denny, to give a sparring exhibition.

The Committee also reported in favor of granting sundry licenses as innholders.

The Committee also reported leave to withdraw on fifty or sixty applications for licenses as innholders.

The reports were severally accepted.

Alderman James, from the Committee on Health, reported that the license of N. Hays, as collector of grease and bones, be revoked. Accepted.

STREETS IN BOSTON HIGHLANDS.

A petition was presented from Samuel C. Cobb and others, respecting surveys, and laying out streets in Boston Highlands. On this petition the following order was passed:

Whereas, His Honor the Mayor, in his inaugural address, called the attention of the City Council to the importance of reconveying and laying out prospectively into streets and avenues the territory in the Boston Highlands now vacant or thinly populated, and

Whereas, a large number of the residents of the Boston Highlands have represented that if the streets in such territory were properly laid out at the present time, the necessity for large expenditures for that purpose in the future would be obviated; it is therefore

Ordered, That his Honor the Mayor be requested to petition the General Court now in session for authority to lay out such streets and avenues in the Boston Highlands as may be for the common benefit of the proprietors of the land taken for the purpose and the city of Boston—the city not to be obliged to complete the streets and avenues so laid out sooner than they may deem it expedient so to do.

FREE CONCERTS.

Aldermen Fairbanks and White were appointed a committee, to be joined, to make arrangements for free concerts in Music Hall, or elsewhere, the expense not to exceed the appropriation already made for that purpose.

MUSICAL FESTIVAL.

Aldermen White and Fairbanks were appointed a committee, to be joined, to consider and report upon the part which it is expedient for the City Government to take in this proposed Musical Festival in this city in June next.

SUFFOLK STREET DISTRICT.

The following order was adopted on motion of Alderman Talbot:

Ordered, That a special committee, consisting of two on the part of this Board, with such as the Common Council may join, be appointed to procure plans and estimates for raising the Suffolk Street District (so called) and report to the City Council upon the expediency of taking said district as provided in chapter 277 of the acts of the year 1868; said committee to have and exercise all the powers in relation to the examination of titles to property on said district confered by the City Council of 1868 upon the special committee upon the subject.

Aldermen Talbot and Baldwin were appointed on the committee.

BROADWAY EXTENSION.

Ordered, that the reports and papers in relation to the extension of Broadway, be taken from the files of last year and referred to the Committee on Streets, with instructions to report an order of notice for the extension of Broadway from Federal street to Albany street, as soon as possible.

LICENSES TO MINORS.

An order was adopted authorizing the Mayor and Aldermen to make such rules and regulations in relation to the licensing of minors, and to grant licenses to minors, as they may deem expedient, as provided by law.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## JAN. 14, 1869.

The regular weekly meeting of the Common Council was held at 7½ o'clock this evening, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Petitions from the Board of Aldermen were referred in concurrence.

The quarterly reports of city officers and annual reports of Superintendents of Bridges were read and ordered to be placed on file.

The Auditor's monthly exhibit, printed City Document No. 3, 1869, was also ordered to be placed on file.

The Message from His Honor the Mayor, transmitting a letter from Hon. John P. Bigelow, in which he tenders his resignation of the office of Trustee of the Public Library, was referred in concurrence, and the following orders were passed in concurrence:

Order authorizing the Mayor and Aldermen, in accordance with Sec. 14, Chap. 50, of the General Statutes, to make rules and regulations to restrain sales by and grant licenses to minors.

Order requesting his Honor the Mayor to petition the General Court for authority to lay out such streets and avenues in the Boston Highlands as may be for the common benefit of the proprietors of the lands laid out and the city.

Messrs. Flanders of Ward Five, Braman of Ward Six and Rich of Ward Fourteen were joined to the committee to make arrangements for free concerts in Music Hall or elsewhere, at an expense not exceeding the appropriation heretofore made therefor.

Messrs. Leighton of Ward Nine, Flanders of Ward Five and Pickering of Ward Fourteen were joined to the committee on establishing the salaries of the city officers.

Messrs. Richards of Ward Eight, Rogers of Ward Fifteen, and Osborn of Ward Six, were joined to the committee to procure plans and estimates for raising the Suffolk Street District, and report on the expediency of taking said District, as provided in Chapter 277 of the acts of 1868, with full power relative to the examination of titles and property in said District.

Messrs. Denny of Ward Ten, Jacobs of Ward Five, and Nelson of Ward Nine, were joined to the committee to consider what part it is expedient for the City Government to take in the proposed Musical Festival in this city in June next.

On motion of Mr. Nelson of Ward Nine, the President of the Council was added as chairman of the Committee.

The order for an additional loan of $300,000, to be appropriated for the Church Street District. Printed City Doc. No. 4, 1869, was read once, and laid over under the rules.

The orders for the appointment of Joint Standing Committees were adopted, and the President announced the Standing Committees and Joint Standing Committees on the part of the Common Council, as follows:

STANDING COMMITTEES OF THE COMMON COUNCIL.

Common and Squares—Squires of Ward 8, Jacobs of Ward 5, Judson of Ward 14, Learnard of Ward 11 and Ingalls of Ward 12.

Ferries—Richards of Ward 8, Dinsmore of Ward 2, Ryan of Ward 13, Pote of Ward 1 and Poor of Ward 11.

Fire Department—Tucker of Ward 6, Flanders of Ward 5, Dinsmore of Ward 2, Kingsbury of Ward 15 and Woolley of Ward 1.

Internal Health—Batchelder of Ward 4, Flynn of Ward 7, Hopkins of Ward 10, Ryan of Ward 13, and Woods of Ward 12.

Police—Squires of Ward 8, Kingsbury of Ward 15, Malone of Ward 2, Tucker of Ward 6, and Butler of Ward 10.

Streets—Richards of Ward 8, Flynn of Ward 7, Rogers of Ward 15, Johnston of Ward 12, and Bond of Ward 8.

JOINT STANDING COMMITTEES.

Assessors' Department—Leighton of Ward 9, Gray of Ward 12, Hopkins of Ward 10, Keany of Ward 2, and Talbot of Ward 4.

Bathing—Woolley of Ward 1, Crowley of Ward 7, Braman of Ward 6, Vannevar of Ward 8, and Kingsbury of Ward 15.

Claims—Wadsworth of Ward 4, Jacobs of Ward 5, Butler of Ward 10, Talbot of Ward 4, and Pearson of Ward 13.

Engineer's Department—Wadsworth of Ward 4, Malone of Ward 2, and Hall of Ward 1.

Fire Alarms—Belknap of Ward 3, Lucas of Ward 7, and Woods of Ward 12.

Fuel—Pickering of Ward 14, Cole of Ward 5, and Bond of Ward 8.

Harbor—Denny of Ward 10, Belknap of Ward 3, and Young of Ward 1.

City Hospital—Jenks of Ward 3, Rogers of Ward 15, and Frost of Ward 9.

Institutions at South Boston and Deer Island—Woolley of Ward 1, Keany of Ward 2, Keith of Ward 15, Butler of Ward 10, and Learnard of Ward 11.

Ordinances—Osborn of Ward 6, Denny of Ward 10, Jacobs of Ward 5, Ingalls of Ward 12, and Rich of Ward 14.

Overseers of Poor and Temporary Home—Nelson of Ward 9, Jenks of Ward 3, and Richards of Ward 8.

Public Buildings—Keith of Ward 15, Emerson of Ward 6, Wells of Ward 3, Leighton of Ward 9, and Gray of Ward 12.

Public Instruction—President of Common Council, ex-officio, Osborn of Ward 6, Snow of Ward 11, Hobbs of Ward 14, and Wilkins of Ward 9.

Public Lands—Squires of Ward 8, Wells of Ward 3, Poor of Ward 11, Pickering of Ward 14, and Hall of Ward 1.

Printing—Nelson of Ward 9, Gay of Ward 10, and Conant of Ward 15.

Public Library—Belknap of Ward 3, Batchelder of Ward 4, Johnston of Ward 12, Mullane of Ward 13, and Gay of Ward 10.

Surveyor's Department—Wadsworth of Ward 4, Doherty of Ward 2, and Cole of Ward 7.

Treasury Department—Gray of Ward 12, Davis of Ward 13, and Noyes of Ward 5.

Water—Young of Ward 1, Emerson of Ward 6, Noyes of Ward 5, Going of Ward 3, and Daniels of Ward 4.

UNFINISHED BUSINESS.

The orders establishing rules and orders of the Common Council were passed.

The joint rules and orders were considered.

Mr. Keith of Ward Fifteen moved, as amendments after sec. 11 page 44 of the printed rules, provisions requiring each member, on presenting petitions, memorials, &c., to indorse the subject-matter of the same on top, with his name below, and make a brief statement of the same; also similar provisions on the offering of orders, with the name indorsed of the person offering them. These amendments were adopted.

Mr. Keith moved a further amendment, to strike out "or indorsement" in section 11, pending which Mr. Jacobs of Ward Five moved a reference of the subject to the Committee on Ordinances, which was modified subsequently to a reference back to the Joint Committee on Rules and Orders, which was carried.

COMMUNICATIONS.

A communication was received from the School Committee, requesting the City Council to furnish the Committee with a suitable hall for the accommodation of the Committee and the City Council and others in which to witness exhibitions of deaf mutes from the institutions at Hartford and at Northampton. Referred to the Committee on Public Instruction.

Mr. Keith presented a communication from the Commissioners on the annexation of Dorchester, and an order therewith appropriating $1000 for surveys, maps and plans in relation to such annexation. Refered to Committee on Finance.

REFERENCE OF MAYOR'S ADDRESS.

Mr. Keith of Ward Fifteen, from the Joint Special Committee, appointed to report what disposition should be made of the various topics embraced in the Mayor's Inaugural Address, recommended the passage of the accompanying orders:

Ordered, That so much of the Mayor's Address as relates to the expediency of purchasing land

adjoining the Chestnut Hill reservoir, for a public park, be referred to the Joint Standing Committee on Water; so much as relates to the enlargement of the Public Library building, to the Joint Standing Committee on the Public Library; so much as relates to the enlargement of the City Hospital building, to the Joint Standing Committee on the City Hospital; so much as relates to the institutions at South Boston and Deer Island, to the Joint Standing Committee on Public Institutions; so much as relates to the petition to the General Court to provide against the erection of unsafe buildings, to the Committee on Public Buildings.

Ordered, That so much of the Mayor's address as relates to the petition to the General Court for a change in the boundary line between the city of Boston and the town of Brookline, be referred to a joint special committee.

The orders were adopted.

Messrs. Keith of Ward Fifteen, Osborn of Ward Six and Pickering of Ward Fourteen were appointed the Committee under the last order.

PETITIONS PRESENTED AND REFERRED.

D. McB. Thaxter and others, in favor of the appointment of Charles I. Craibe as Superintendent of Federal street bridge.

P. M. Foss for said office, said petition being accompanied by a recommendation from Charles H. Bieler and others in aid of the same.

Severally referred to the Committee on nomination of Superintendents of Bridges.

ORDERS PASSED.

On motion of Mr. Gray of Ward Twelve, that the several Committees of the City Council resume the unfinished business of the last year, which is appropriate to the said Committees.

On motion of Mr. Dinsmore of Ward Two, it was ordered that a committee be appointed, to be joined, to nominate a Harbor Master. Messrs. Dinsmore of Ward Two, Belknap of Ward Three, and Cole of Ward Five, were appointed the said committee.

On motion of Mr. Lucas of Ward Seven, it was ordered that a committee be appointed, to be joined, to nominate a Superintendent of Fire Alarms. Messrs. Lucas of Ward Seven, Vannevar of Ward Eight, and Hall of Ward One, were appointed the committee.

Mr. Snow of Ward Eleven, moved as amendment to the Rules and Orders of the Common Council, a provision in Section 1, that after calling the Council to order the President shall first cause "the minutes to be read, if called for by any member, but not otherwise."

Mr. Snow said he proposed the amendment for the reason that the reading of the minutes was invariably dispensed with on motion of some member.

On motion of Mr. Keith of Ward Fifteen, the amendment was referred to the Committee of the Common Council on Rules and Orders.

CHAIRMEN OF COMMITTEES.

Mr. Denny, from the Committee on Finance, announced that the Committee had made choice of Francis A. Osborn of Ward Six as Chairman of the Committee.

Mr. Flanders, of the Committee on Accounts, announced that the Committee had made choice of Edward E. Batchelder of Ward Four as their Chairman.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## JAN. 18, 1869.

The regular weekly meeting of the Board of Aldermen was held at 4 o'clock this afternoon, His Honor Mayor Shurtleff in the chair.

JURORS DRAWN.

Six traverse jurors were drawn for the Superior Court, second session, and seven were drawn for the first session of the same Court.

APPOINTMENTS CONFIRMED.

E. W. Buswell, for duty at Horticultural Hall, special police officer without pay.

Samuel J. Crockett, as an undertaker.

PETITIONS PRESENTED AND REFERRED.

Thomas Richardson, for a hearing on the subject of damages to his estate in Federal street.

Wm. Clark and others, that Windsor street be laid out as a public street.

Wm. Clark and others, that Weston street be accepted as a public street.

John F. Pray and others, that Allen street be extended to Charles street.

Lucius Slade and others, that Chambers street be extended to Spring street.

Severally referred to the Committee on Streets.

George D. Lord, for abatement of sidewalk assessment on Princeton street.

Stafford & Presbey, for the grade of Grove Hall avenue, near Winthrop street.

Chauncy Page, to be paid for damages caused by change of grade in First street.

Severally referred to the Committee on Paving.

James S. Percival and others, for a lamp at corner of Holland place and Tyler street. Referred to Committee on Lamps.

Engine Company No. 9, for an alteration in their engine house. Referred to Committee on Public Buildings.

John C. Blaisdell, for leave to apply liquid fuel as a kindling agent under steam fire engines. Referred to Committee on Fire Department.

W. H. Fitzpatrick & Co., for a license as auctioneers. Referred to Committee on Licenses.

Charles R. McLean, that the ballots for Aldermen in Ward One may be recounted. Referred to Aldermen White and Talbot.

NOTICES OF INTENTION TO BUILD.

N. S. Smith, corner of D and Fourth streets; Stafford & Presbrey, corner of Grove Hall avenue and Winthrop streets; A. & J. McLaren, 21 Lexington street; S. F. Towle, corner of East Springfield and Washington streets; J. & W. C. Downing, Saratoga, between Brooks and Putnam streets; J. E. & N. Brown, 114 Summer street, corner of High street; Mortimer F. Downing, 682 and 684 Federal street; Stephenson & Emory, 10 and 12 Lexington street; C. & G. Barker, 48 and 50 Beverly street; W. A. & S. G. Low, 2 Harrison avenue; Thomas A. Foster, Monmouth street; William Goldsmith, Prentiss, next to corner of Tremont street; J. E. & N. Brown, 7 High street; Tolman & Hunting, 8 Avery street; W. W. & J. F. Bennett, Liverpool, near Decatur street; W. H. Dodge, 92 Broadway; Batchelder Brothers, Broad street, between Pearl and Purchase streets; A McCrillis, Liverpool street between Decatur street and Central square; J. W. Dean, 24 and 26 Williams street; C. K. Kirby, 239 and 249 Tremont street; Mark Dowling, 37 West street; John Towne & Son, North Russell street. Severally referred to the Committee on Streets.

ANNUAL REPORTS.

Annual reports were made as follows:

SUPERINTENDENT OF STREETS.

The report of the Superintendent of Streets gives in detail the expenditures in the several streets of the city. The amount expended by the paving department during the municipal year, 1868, was $407,053 89. This amount was expended for paving, repaving, grading, repairs of streets, removing and levelling snow and for grade damages, &c. These expenditures in more than one hundred streets and squares in the city proper amounted to $210,027 81. In twenty-three streets in South Boston, the expenditures amounted to $60,557 60. In seventeen streets in East Boston, the amount was $24,598 66. In thirty-seven streets at the Highlands, the amount was $18,045 45. Incidentals, $61,824 37; grade damages $2000.

The total amount appropriated for paving, &c., the present financial year, 1868-69, was $375,000; expenditures of the present financial year to Jan. 1, 1869, was $365,808 06; balance of appropriations unexpended Jan. 1, 1869, $9191 94. The amount of bills for edgestones, constructing and repairs of sidewalks, lodged with the City Treasurer during the year for collection, was $19,056 07. Amount paid into the City Treasury during the same period, credited to the Paving Department, was $6380 25.

In addition to the appropriations made by the City Council to the ordinary expenses of the paving department, special appropriations were made in 1866, '67 and '68, for the following objects, viz: Construction of a new bridge, on Albany street, over the tracks of the Boston & Albany Railroad, for the extension of Albany street from Troy street to Dover street, for grading and gravelling Albany street, south of Dover street, for raising and grading Dedham street, between Shawmut avenue and Tremont street, and for raising and grading Shawmut avenue and Ruggles street in Roxbury. The amount expended on these works was as follows:

Albany street bridge $24,657 11; extension of Albany street $3079 95; Albany street south of Dover street $3728 25; Dedham street $660; Shawmut avenue and Ruggles street $31,801 30; Oliver street $30,897 45.

A statement is given of the several locations granted by the Board of Aldermen to Freight Railway corporations, with the route of tracks and the date of orders, also of grants to the Metropolitan Railroad Company.

*Atlantic Avenue.* In relation to this proposed avenue, the Superintendent says the plans and specifications are now being prepared by the City Engineer, and the work will be commenced at an early day. The report proceeds:

As this street will be subjected to heavy travel and probably occupied to some extent by freight railroad tracks, it is important that it should be built in the most thorough and substantial manner. If made the depository of ashes, street scrapings, and refuse matter, it will not be solid, but will continue to settle for years to come; the pavement will become uneven, badly rutted, and require frequent relaying. As the Government has already been asked to allow the street to be used as a place of deposit for ashes, &c., I take this opportunity to respectfully protest against a proceeding which will result to the disadvantage of the city.

Operations in Fort Hill have been held in abeyance for a suitable place to deposit the earth. The building of Atlantic avenue will supply the required want, and the material in the hill being a hard clay, will make the best of filling and form a solid foundation for the roadway.

*Roxbury.* The annexation of Roxbury to Boston increased the expenses of the paving department to a considerable amount, and added to the duties of the Superintendent. The work done in that section for the past year was much needed, and more will be required the coming season. An accurate survey of Roxbury should be made without delay for the purpose of defining the street lines and establishing a thorough system of grades.

*Street Pavements.* The best pavement for a street must be determined by the locality and the amount of travel to which it is to be exposed. The pavements now in use in this city are the round or cobble stone pavements, the cubical block pavement, composed of small granite or trap rock blocks, and the wood pavement. The round or cobble stone pavement, with which most of our business streets are paved, is a rough, noisy and dirty pavement, badly adapted for the carriage of heavy loads, and giving a very insecure foothold. Its only recommendation is its cheapness. No new streets should be paved with this material. When replaced on the old streets by a better article, the stone can be broken and used to macadamize the roads in the suburbs of the city.

The cubical block pavement, composed of small granite or trap rock blocks, is well adapted for

those streets most exposed to heavy travel. It is so even as to allow the carriage of heavy loads with comparative ease, and at the same time is not slippery. After several years' trial its durability is unquestioned.

Wood pavement was tried in this city several years ago and abandoned as worthless. It has been used in Chicago and other Western cities, and given general satisfaction. In those cities the streets are wide, and the travel is distributed over a large surface. In this city it was put down in narrow streets, exposed to the heaviest travel. On Exchange street, when the wood pavement was taken up, granite blocks eighteen inches long and six inches wide were laid down. In a few years these proved a failure, and the street was repaved with small granite blocks, which after two years' use are much worn, and plainly show how severe is the test to which they are exposed.

In the light of these circumstances, it is not surprising that the wood pavement should have failed in localities for which it was not adapted. For the streets at the South End and the Back Bay territory, where the travel is comparatively light, and for those in the vicinity of public buildings, where freedom from noise is an indispensable requisite, the wood pavement is most admirably adapted. I am confident in those localities it will give entire satisfaction and prove a complete success.

Macadamized streets in the city proper have proved a failure. When properly constructed, they cost as much as those paved with the best stone pavement, and the expense of keeping them in repair is three times as great. Roadways of this kind are excellent in the country, or in the suburbs of the city, where the material for constructing and repairing them is easily obtained, but to maintain them in frequented thoroughfares in the heart of the city requires an extravagant expenditure of money.

The report was ordered to be printed.

SUPERINTENDENT OF FEDERAL STREET BRIDGE.

The report of the Superintendent of the Federal street bridge states that the number of vessels which passed through the draw of that bridge in 1868 was 8522.

SEALER OF WEIGHTS AND MEASURES—SOUTHERN DISTRICT.

The report of J. D. Cadogan, sealer of weights and measures for the Southern District, recommends the abolishing of spring balances principally used in weighing fish, as liable to get out of order. The report states that the grocers and others who sell by weights and measures are not chargeable with the practices complained of in New York.

COMMON COUNCIL PAPERS.

Petitions from the Council were referred in concurrence.

The order to recommit report adopting Joint Rules and Orders, was passed in concurrence.

The report of committee on reference of the several portions of the Mayor's Address was adopted in concurrence. Under the last order, relating to the boundary line between Boston and Brookline, Aldermen Bradlee and Talbot were joined to the Committee of the Common Council.

Request of Sub-Committee for a suitable room for the exhibition of Deaf Mutes. Referred, in concurrence.

Request of Dorchester Commissioners for an appropriation of $1000 for sewers, plans, &c. Referred, in concurrence.

The several orders from the Council were passed in concurrence, as follows:

Orders for Joint Standing Committees to resume unfinished business.

Order for Joint Committee to nominate Harbor Master, to which Aldermen Hawes and Van Nostrand were joined.

Order for Joint Committee to nominate Superintendent of Fire Alarms, to which Aldermen Richards and Hawes were joined.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses to A. Heekin to give a sparring exhibition, and to sundry persons as innholders, victuallers, intelligence offices, wagon stands and dealers in junk and second-hand articles. Severally accepted.

Also leave to withdraw on petitions of Thomas F. Brady, for license as a common victualler, A. & S. Whitebone as pawn brokers, and Henry J. Lefavre, as an innholder. Severally accepted.

Alderman James, from the Committee on Paving, reported reference to Committee on Suffolk Street District, on the several petitions of Mary A. Wellbrook, Eben Morton, and Timothy Connelly. Accepted.

Alderman James, from the Committee on Salaries, made a report in print, establishing the salaries of the several city officers during the ensuing year, and recommending the passage of the accompanying orders. The only changes made in the amounts paid last year are as follows: To the City Clerk, for clerk hire, an increase of six hundred dollars; to the Clerk of Committees, an increase of five hundred dollars; to the City Physician, fifteen hundred dollars, a decrease of five hundred dollars.

The report was laid on the table.

Alderman White submitted the Annual Report of the Trustees of the Mount Hope Cemetery. Accepted and sent down.

Alderman White, from the Committee on Health, made a report revoking the licenses of Peter Holmes of Cambridge and Patrick Higgins of Somerville, as collectors of grease and bones. Accepted.

Alderman White, from the Committee on Licenses, on the order relating to licenses to minors, reported the rules and regulations governing licensed minors adopted last year, with several amendments. The amended provisions were as follows:

3. All licenses shall specify the articles to be sold or the business to be pursued, and the licenses issued to bootblacks shall contain the places assigned therefor.

4. Each minor licensed by the Board of Aldermen shall at all times, while engaged in the business for which he is licensed, wear a leather badge upon his hat or cap, with the word "Licensed" and the *number* of his license in polished letters fastened thereon. A neglect or refusal so to do will work a forfeiture of said license.

8. Each minor so licensed shall exhibit his license to any officer of the city, for inspection, when required so to do, and the same shall not be transferred, exchanged, borrowed or lent, on pain of forfeiture thereof.

The rules and regulations, as amended, were adopted.

Alderman Talbot, from the Committee on Streets, reported an order revising the assessment of betterments on Bowker, Torrey & Co. for the widening of Bowker street. Adopted.

Alderman Van Nostrand, from the Committee on Assessors' Department, reported an order directing the Treasurer to refund to Elizabeth Noyes a tax assessed in 1867, on an estate in South Boston, with the costs and expenses in the collection of said tax, amounting to $37, to be charged to the account of taxes of 1867. The order was passed.

HEARINGS ON ORDERS OF NOTICE.

On petition for a change of name of Shoe and Leather street to John street. Hearing Monday, Feb. 1, 4 o'clock P. M.

On an order declaring the building known as the Eastern Exchange, corner of Causeway and Canal streets, to be dangerous and a nuisance, requiring to be rebuilt or torn down. Hearing Monday, Jan. 25, 4 P. M.

On petition of Eames & Tucker, for leave to build a stable on Brookline street. Hearing on Monday, Feb. 25, 4 P. M.

ORDERS PASSED.

Order that the Chief of Police be and he is hereby directed to notify the owner of estate numbered 245 Tremont street, to remove within ten days the stone steps placed outside of said estate, within the line of said Tremont street, and in default thereof the Superintendent of Streets is hereby directed to cause said steps to be removed at the expense of the owner thereof.

Order that the Chairman of the Committees on Streets, Paving and Sewers be appointed a special committee, with full powers to continue the negotiations which were commenced last year between the City of Boston and the Boston & Albany Railroad Company, in relation to the streets and bridges adjacent to and across the tracks of said Corporation.

Order that the Superintendent of Streets be authorized, under the direction of the Committee on Paving, to grant permits for moving buildings through the public streets of the city.

Order that the Superintendent of Streets be authorized, under the direction of the Committee on Paving, to number or renumber any street, court or place within the city limits, whenever in the opinion of said committee the public convenience will be promoted thereby.

Order that the Superintendent of Streets be authorized to grant permits to open the streets in accordance with the ninth and tenth sections of the ordinance relating to streets.

Order that the Superintendent of Streets be authorized, under the direction of the Committee on Paving, to contract from time to time for the purchase and exchange of horses, the supply of hay, grain, paving stones, gravel, and other materials required for the operations of the Paving Department during the present municipal year.

Order that the Superintendent of Health be authorized during the present municipal year to make contracts, subject to the supervision of the Committee on Health, for the purchase of such quantities of hay and grain, and for such horses as his department may from time to time require, also for such material as shall be required for the use of this department.

Order that the Committee on Ordinances consider and report upon the expediency of amending the ordinance concerning the assessment and collection of taxes, to provide for the election of three additional first assistant assessors, and relieving the assessors from any specified duty upon the streets.

Order that the Joint Standing Committee on Ordinances be authorized to prepare and print a digest of the City Ordinances and the General and Special Statutes relating to the city of Boston, the expense thereof to be charged to the appropriation for incidental expenses.

Order that the list of jurors in this city, who are qualified to serve in the several courts of the County of Suffolk, be revised by this Board, and be posted in the City Hall and Court House, and be thereafterwards submitted to the Common Council for revision and acceptance, pursuant to law.

Order that the several standing committees of this Board resume the unfinished business of the last year, which is appropriate to said committees.

Order that the Committee on Laying out and Widening Streets be and they hereby are authorized to sell at public auction the estate on the corner of Avon place and Chauncy street, belonging to the city, containing 2034 square feet, and that the proceeds from the same be paid into the City Treasury. The said estate is the portion left after the extension of Avon place from the estate purchased by the city of Messrs. Jordan, Marsh & Co.

Order that the East Boston Ferry Co. be directed to run one boat between the landings of the former People's Ferry Co. from 6 o'clock A. M., daily, to 12 o'clock, midnight.

Order that the Board establish the grade of Newman street, as shown on a plan made by the City Surveyor, dated Jan. 1, 1869, approved by the Committee on Paving, and deposited in the office of said City Surveyor.

Order that His Honor the Mayor be requested to petition the Legislature for an amendment to the city charter, authorizing the City Clerk to appoint a deputy or assistant city clerk.

Order that the Committee on Common and Public Squares consider the expediency of putting in proper order for use as a playground for base ball and other games the lot of land conveyed to the city by the Boston Water Power Co. in 1865.

In explanation of this order, Alderman Talbot stated that the playing of base ball on the Common was objectionable on several accounts, particularly for the reason that the grass was entirely destroyed on the parade ground where these games were played. It was believed that the lot to which the order referred would be convenient for the purpose, and not so far away as to be difficult of access.

Order that a special committee be appointed, consisting of two members of the Board of Aldermen, with such as the Common Council may join, who shall, in consultation with the Mayor, represent the city of Boston before committees of the General Court in all matters pertaining to the City Government.

Aldermen Bradlee and Talbot were appointed on the committee.

CELEBRATION OF FOURTH OF JULY.

On motion of Alderman White, it was ordered, that a committee of five on the part of the Board of Aldermen, with such as the Common Council may join, be appointed to make suitable arrangements for the celebration of the ninety-third anniversary of American Independence, the expense thereof not to exceed $25,000.

Aldermen White, Richards, James, Fairbanks and Bradlee were appointed on the part of the Board of Aldermen.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## JAN. 21, 1869.

The regular weekly meeting of the Common Council was held at 7½ o'clock this evening, Wm. G. Harris, the President, presiding.

PAPERS FROM THE BOARD OF ALDERMEN.

Petitions from the Board of Aldermen were referred in concurrence.

The annual report of Superintendent of Federal Street Bridge, and annual report of Trustees of Mount Hope Cemetery were severally ordered to be placed on file.

On the order appointing a committee to represent the city before committees of the General Court, in all matters pertaining to the City Government, after the adoption of the same, Messrs. Ingalls of Ward Twelve, Hobbs of Ward Fourteen, and Snow of Ward Eleven, were joined on the part of the Common Council.

The order for the Committee on Ordinances to consider the expediency of amending the ordinance concerning the assessment of taxes, by providing for the election of three additional first assistant assessors, and relieving assessors from duty on streets, was referred to the Committee on the Assessors' Department.

The order appointing a committee to make arrangements for the celebration of the 4th of July next, at an expense not exceeding $25,000, was laid on the table, on motion of Mr. Wadsworth of Ward Four.

The following orders were passed in concurrence:

Order authorizing the sale of the city's estate at the corner of Avon place and Chauncy street.

Order authorizing the tax and expense of collecting the same on the estate of Elizabeth Hayes to be refunded.

Order requesting the Mayor to petition the Legislature for an amendment to the charter, authorizing the City Clerk to appoint a deputy or assistant city clerk.

Order authorizing the Committee on Ordinances to propose and print a digest of the ordinances and law relating to the city.

The reference to the Committee on the Suffolk Street District, on the several petitions of Mary A. Wellbrook, Eben Morton, and Timothy Connelly, was accepted in concurrence, unanimously.

UNFINISHED BUSINESS.

The order for an additional loan of $300,000, to be appropriated for the Church Street District, was passed in concurrence.

PETITIONS PRESENTED AND REFERRED.

Manson & Peterson, Samuel Hall and forty-four others, individuals and business firms in East Boston, National Dock and Warehouse Co., Boston & Albany Railroad Co. and fifty-two mercantile firms in Boston, that the city would purchase the property of the East Boston Ferry Company.

Severally referred to the Committee on Ferries.

R. H. Eddy and others, for a hearing in relation to the obstruction of light to their estates in filling Tremont street. Referred to the Committee on the Church Street District.

RESIGNATION AND APPOINTMENT.

Mr. Richards of Ward Eight was excused from serving on the Committee on Ferries, and Mr. Hall of Ward One was appointed to fill the vacancy.

REPORTS OF COMMITTEES.

Mr. Hobbs of Ward Fourteen, from the Committees to nominate Trustees of the City Hospital, made a report, recommending the following named persons:

Board of Aldermen—Newton Talbot.

Common Council—Samuel T. Snow, Thomas L. Jenks.

At large—Jonas Ball, Wm. A. Rust.

It was voted to proceed to an election of Trustees of the City Hospital.

Messrs. Braman of Ward Six, Mullane of Ward Two, and Gay of Ward Ten were appointed a committee to receive, sort and count the votes.

The Committee reported as follows:

| | |
|---|---|
| Whole number of votes | 51 |
| Necessary to a choice | 26 |
| Newton Talbot | 51 |
| Samuel T. Snow | 50 |
| Edward E. Batchelder | 29 |
| Thomas L. Jenks | 23 |
| Jonas Ball | 50 |
| Theodore Metcalf | 32 |
| William A. Rust | 18 |
| Samuel Rice | 1 |

Alderman Newton Talbot, Samuel T. Snow and Edward E. Batchelder of the Common Council, Jonas Ball and Theodore Metcalf, at large, were declared to be elected, on the part of the Common Council.

Mr. Osborn of Ward Six, from the Committee on Finance, to whom was referred the communication of the Commissioners on the Annexation of Dorchester, asking for an appropriation of $1000 to defray the expenses of such surveys, plans, &c., as they may require, reported the following order:

Ordered, that the Commissioners on the Annexation of Dorchester to Boston, be authorized to expend, under the direction of the City Surveyor, a sum not exceeding $1000 for such surveys, plans and maps as they may require in the execution of the order of the City Council, December 22, 1868, said amount to be charged to the appropriation for "Engineers' and Surveyors' Department," and that the Auditor of Accounts be and he is hereby authorized to transfer for the accomplishment of the above object, from the Reserved Fund to the appropriation for Engineer's and Surveyor's Department, the sum of one thousand dollars.

The order was read once and ordered to a second reading.

Mr. Tucker of Ward Six, from the special committee to whom was referred the order to amend the first section of the Rules and Orders of the Common Council, so that the minutes of the preceding meeting shall not be read unless called for, reported that in their opinion the proposed amendment is unnecessary and ought not to be adopted.

The report was accepted.

Mr. Wilkins of Ward Nine moved the indefinite postponement of the order.

Mr. Snow of Ward Eleven, who originally introduced the order, explained that his reason for doing so was to avoid the necessity for the constant repetition, at the beginning of each session, of the motion to dispense with the reading of the records,—especially as each member had the journal and a full report of the proceedings of the Common Council before him.

Mr. Keith of Ward Fifteen inquired if the indefinite postponement did not carry the whole subject of the rules and orders with it.

The Chair replied that it did not, for this was an order in amendment of the rules, after they had been adopted, and the motion only affected this order.

The motion for indefinite postponement was carried.

Mr. Tucker, from the Special Committee to whom was recommitted the report on joint rules and orders for the government of the City Council, with certain amendments in relation to the presentation of petitions, reports, orders, &c., made a report, in which they state that in their opinion the proposed amendments, if adopted, would interfere with the present highly satisfactory system of the recording officers of the two branches, without giving any compensating advantages. They therefore recommend the passage of the order accompanying their original report.

The report of the Committee was accepted, and the question recurring on the adoption of the amendment of Mr. Keith of Ward Fifteen, to strike out the words "or indorsement," in sec. 11, page 44, of the printed rules, the amendment was lost.

Mr. Keith made some remarks on the subject of indorsement of petitions, saying that the Committee did not state what the highly satisfactory system of the recording officers of the two branches, commended by them, is. The amendments proposed by him were in accordance with the rules of

legislative bodies, both in Congress and in our own State Legislature, and in his view it would be a great convenience in ascertaining easily what the characters of the various papers are. He did not know what system the clerk of the other branch had which he wished to adhere to, but was satisfied that the adoption of the amendment he had introduced would prove to be beneficial.

Mr. Tucker, of the committee, said that on a consideration of the subject, and consultation with the clerks, they were satisfied that it would save trouble to let the matter remain as it is. On one order of the gentleman, the clerk was obliged to turn the paper over and indorse it on the inside.

Mr. Osborn of Ward Six said it would be shown by the records of the last meeting, that the amendments of the gentleman from Ward Fifteen were adopted. He agreed with that gentleman that there should be some indorsement on the petition and orders presented, and suggested that in place of making it upon the upper part of the paper, it might be made upon the lower fold of the document, so as not to interfere with the system of the Clerk in making his indorsement.

Mr. Keith stating that he would accept that as an amendment, Mr. Osborn submitted an amendment to that effect.

Mr. Wadsworth of Ward Four was of the belief that the advantage advocated might be gained by the member's stating the substance of the petition or order, without an indorsement on the paper.

Mr. Ingalls of Ward Twelve thought the suggestion of the gentleman might be of importance if the President could carry the statement in his mind, in putting the question on such matters. He had, heretofore, been surprised at the style of proceedure, in the Council, in this matter, and believed that if any changes could beneficially be made they ought to be adopted. He stated that by the present method members had frequently to vote upon orders, unnecessarily knowing very little of their purport.

Mr. Jenks of Ward Three moved that the report be recommitted, which was carried, by a vote of 25 to 19. The recommittal took with it the amendments of Mr. Osborn, relating to the indorsement of papers, which, at the request of the President, had been reduced to writing.

Mr. Flynn of Ward Seven offered an order that the Committee on Public Buildings be authorized to purchase a lot of land in South Boston and procure plans and estimates for a Hook and Ladder house, the cost of such land not to exceed $20,000, and that the Treasurer be authorized to borrow the money for that purpose. On his motion the order was referred to the Committee on Public Buildings.

Mr. Hobbs of Ward Fourteen offered an order that the Committee on Public Buildings be authorized to purchase a lot of land at the corner of Warren and Dudley streets, owned by Henry H. Walker and measuring 7026 feet, for a location for Hook and Ladder Company No. 4, and a Ward Room for Ward Fourteen, at a cost not exceeding $10,000, and that the Treasurer be authorized to borrow the money therefor. He moved its reference to the Committee on Fire Department.

Mr. Jenks of Ward Three wished to know if this was the same lot of land which went up from 80 cents to $1 25 per foot, in the course of a few days, a while ago, when it was found that the city wished to purchase it.

Mr. Hobbs said he had never heard of any such thing.

The reference was carried as proposed.

Mr. Hall of Ward One offered an order that the Chief Engineer of the Fire Department be requested to communicate to the City Council his opinion as to the necessity of having two fire engineers in Ward One.

Mr. Ingalls of Ward Twelve moved to amend by an additional request whether two engineers of the Fire Department are not necessary also in South Boston.

Mr. Hall, in advocacy of his order, said that serious results had nearly followed from fires in Ward One, through want of another engineer, and he did not wish this inquiry embarrassed by amendments.

Mr. Ingalls replied that he had been requested to offer a similar order relative to South Boston, and proposed the amendment, without intending to embarrass the passage of the order, simply as a means of obtaining the information which was desired.

The amendment was accepted.

Considerable debate followed relative to the appropriate reference of such an order, and the means of obtaining information from the heads of departments.

The order was disposed of by its reference to the Committee on Fire Department, on motion of Mr. Denny of Ward Ten, who argued that the order should take the usual course of going to a committee, and that the precedent of obtaining an opinion directly from one of the heads of departments should not be set.

Mr. Hopkins of Ward Ten offered an order that the Mayor be requested to appoint the members of the City Council special officers without pay, and that the City Messenger be authorized to furnish the customary badges. Read once.

Mr. Kingsbury of Ward Fifteen offered an order that the Committee on Public Buildings be authorized to enlarge the hose tower on Engine House No. 13, and make other repairs, at a cost not exceeding $3000.

Mr. Osborn of Ward Six moved its reference to the Committee on the Fire Department, which was carried.

Mr. Hall of Ward One offered an order that a committee be appointed, with such as the Board of Aldermen may join, to nominate a Chief and Assistant Inspector of ballast lighters.

The order was adopted, and Messrs Hall of Ward One, Flynn of Ward Seven and Vannevar of Ward Eight, were appointed the committee on the part of the Common Council.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## JAN. 25, 1869.

The regular weekly meeting of the Board of Aldermen was held at 4 o'clock this afternoon, his Honor, Mayor Shurtleff, in the chair.

APPOINTMENTS MADE AND CONFIRMED.

Lieutenants of Police—Daniel Hancock, Samuel H. Richards.

Sergeants of Police—Stephen L. Lewis, George Emerson, Horace M. Ford.

Police Officers, without pay—Joseph Baldwin, special officer at rooms of the Christian Association, No. 8 Boylston street; Daniel McCloud, special officer at the Skating Rink.

PETITIONS PRESENTED AND REFERRED.

George W. Wheelwright and others, and John M. Way and others, that Mt. Warren avenue be laid out as a public highway.

Loyal Lovejoy and others, against the extension of Allen street to Charles street.

John Brooks Parker and others, for the extension of Washington street through Portland street to Causeway street.

Association for Rel ef of Aged Females, that Revere street, west of Charles street, be laid out as a highway, or if already a highway, that certain obstructions be removed therefrom.

David Snow, that his assessment for betterment on Matthews street be apportioned.

Severally referred to the Committee on Streets.

David Block, for renewal of lease in Bridge estate on Court street. Referred to the Committee on Public Buildings.

John A. Vinton, for abatement of assessment for a sewer in Broadway.

Joel E. Gilman, for abatement of assessment for sewer in London street.

David M. Hodgdon and others, for a sewer in Thornton street.

Severally referred to the Committee on Sewers.

Isaac Samuels, to be refunded amount paid by him for a tax title on estate in Springer place. Referred to Committee on Assessors' Department.

J. C. Webb and others, that the chimneys in the planing mills in Albany and Warcham streets may be raised, to obviate a nuisance caused by smoke, &c. Referred to Committee on Steam Engines, &c.

Owen Russell, for permission to erect a stable for six horses in rear of 103 Dedham street. Referred to Committee on Health.

Campbell, Whittier & Co., for compensation for damages caused by the grading of Culvert street. Referred to Committee on Paving.

Jewett & Pitcher, that the city would waive legal notice on proposed petition to the Legislature for leave to lay a rail track in East Boston, to connect with the Grand Junction Railroad. Referred to the Committee on Paving.

Officers of the Ninth Regiment, for the use of Faneuil Hall two evenings in each week, for the drill of their drum corps. Referred to Committee on Faneuil Hall, with full powers.

Rush Brothers and other tenants of stores on Hanover street, for the postponement of the proposed widening of that street to March or April next year, on account of difficulties in procuring tenements. Referred to Committee on Streets.

C. H. & F. B. Day and 59 others of East Boston, Dyer & Gurney, Central Iron Foundry and 64 others of East Boston, and J. S. Evans and 52 others of East Boston, severally for the purchase by the city of the franchise and property of the East Boston Ferry Co. Severally referred to a special committee on the subject.

INTENTIONS TO BUILD.

Patrick Griffin, No. 2 Wall street; W. F. Savage, Cambridge street, near Chambers street; Michael Downes, southwest corner of F and Third streets; Patrick Hayes, 283 Federal street; Peter McKenna, Norwich street, corner of Meander street; Ryder & Harris, 51, 53 and 55 Tremont street; A. S. Ripley, Tremont street, corner of Seaver place; David Flynn, corner of Bennet avenue and Prince street; Thomas Britton, Ninth street, between H and I streets; Weston & Shepard, North Grove street, near Cambridge street. Severally referred to the Committee on Streets.

COMMUNICATION.

A communication was received from J. P. Bradlee, President of the Board of Public Institutions, giving notice of a vacancy in the Board, by the death of Francis C. Manning, elected as a Director at large for three years from 1867. Referred to Committee on Nomination of Directors of Public Institutions.

HEARINGS ON ORDERS OF NOTICE.

The hearing on order of notice on petition of Eames & Tucker, for leave to erect a stable for nine horses on Brookline street, was taken up by assignment. No person appearing the report was recommitted.

The hearing on order of notice relative to removal of the Eastern Exchange, on the corner of Causeway and Beverly streets, adjudged to be an unsafe building and a nuisance, was taken up by assignment. No person appearing the report was recommitted.

UNFINISHED BUSINESS.

The order to pay Mary J. O'Regan and others, heirs of Patrick O'Regan, $1200 for grade damages, Nos. 531, 533 Shawmut avenue, in raising the grade of said street, was read a second time and passed.

COMMON COUNCIL PAPERS.

Petitions from the Common Council were referred in concurrence.

The second report of Committee on Joint Rules and Orders was recommitted in concurrence.

Aldermen Fairbanks and Van Nostrand were joined to the committee of the Common Council on the nomination of Inspectors of Ballast Lighters.

The report of Committee on Nomination of Trustees of City Hospital was accepted, when the election of Trustees on the part of the Board of Aldermen took place, with the following result:

The name of Dr. Rust was withdrawn by Alderman Fairbanks, of the committee, at his request.

| | |
|---|---|
| Whole number of votes | 12 |
| Necessary to a choice | 7 |
| Alderman—Newton Talbot | 11 |
| Common Council—Samuel T. Snow | 12 |
| Edw. E. Batchelder | 5 |
| Thomas L. Jenks | 7 |
| At Large—Jonas Ball | 12 |
| Theodore Metcalf | 11 |
| William A. Rust | 1 |

Alderman Talbot, Samuel T. Snow of the Common Council, and Jonas Ball and Theodore Metcalf, at large, were declared to be elected in concurrence, and Thomas L. Jenks in non-concurrence

The following orders were referred in concurrence:

Orders for purchase of a site at South Boston for a Hook and Ladder House, and for plans, at a cost of $22,000. Referred to Committee on Public Buildings.

The order for proposed amendment of Ordinance relating to Taxes. Referred to Committee on the Assessors' Department.

Alderman Talbot said in relation to the last named, that it should properly be referred first to the Committee on Ordinances, yet he was not strenuous on the subject.

HANOVER STREET WIDENING.

The petitions of Rush Brothers and others for a postponement of the work of widening of Hanover street, having been read, with the reasons therefor—

Alderman Talbot moved that the petitioners be allowed a hearing on the subject before the whole Board, on Monday next, 4 o'clock.

Alderman Richards suggested whether it would not be better that the hearing should take place before the Committee on Laying Out and Widening streets, for the matter must eventually go before that Committee, and he much preferred the judgment of the Committee in such cases.

Alderman Talbot replied that the question was one purely of lenity, which the whole Board could much better judge of, and he would like to have the opinion of every member in the matter. At the first blush the judgment would be that the work of cutting off should be commenced at once, yet if there were good reasons for the postponement, such a postponement should be allowed.

The motion for the hearing before the whole Board was carried.

PURCHASE OF THE EAST BOSTON FERRY FRANCHISE.

On the presentation of the before mentioned petitions for the purchase of the franchise and property of the East Boston Ferry Company, the petitions being in aid of others presented to the Common Council,

Alderman Talbot stated that for some reason or other, the petitions, of which these were in aid, had not reached the Board, having been referred to a special committee on the part of the Common Council. He supposed, however, that they would some time be received. To meet the question fully, he offered the following order, which was adopted:

Ordered, That a special committee, consisting of three on the part of the Board, with such as the Common Council may join, be appointed to consider and report upon the expediency of purchasing the franchise, property, rights and privileges of the East Boston Ferry Co., as provided in the act of incorporation of said company, or any act which may be passed by the Legislature now in session.

Aldermen Seaver, Talbot, and Pratt, the Committee on Ferries, were appointed the committee on the part of the Board of Aldermen.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of granting licenses to sundry persons as victuallers and innholders, and for the relicensing of 120 newsboys, 34 bootblacks, 4 to sell boot and shoe lacings, and in favor of 5 new applications for licenses as newsboys, and 2 as bootblacks. Accepted.

The same Committee reported in favor of granting licenses to sundry persons as auctioneers, for wagon stands, and wagon licenses, and for transfer of license to keep billiard tables. Accepted.

The same Committee reported leave to withdraw, on petition of Christian Hinselmann, for a license as a common victualler, No. 17½ School street. Accepted.

The special committee to whom was referred the petition of Charles R. McLean, that the ballots cast for Aldermen at the last municipal election in Ward One may be recounted, reported that under the provisions of chapter 144 of the acts of 1863 this board have no authority to recount the ballots cast at the last municipal election in any ward, unless the seat of some member of the board is contested by a person who received votes for the office. The report was accompanied by the opinion of the City Solicitor.

Read and accepted.

ORDERS FOR PUBLIC HEARINGS.

Alderman Talbot, from the Committee on Laying Out and Widening Streets, submitted reports, which were adopted, as follows:

On the notice of Mark Dowling of intention to build on West street, a notification of all parties interested of the intention of the Board to widen West street. Hearing Monday Feb. 8, 4 P.M.

Notice of intention to extend Broadway. Hearing Monday, Feb. 8, 4 P. M.

Alderman Talbot said he had also a notice to quit to tenants on the line of widening of Hanover street. A hearing having been ordered to petitioners, on his motion this notice was laid on the table.

RECOGNITION OF SERVICES OF HON. JOHN P. BIGELOW.

Alderman White offered the following resolutions, which were unanimously adopted:

Whereas, The recent resignation of the Hon. John P. Bigelow, as a trustee of the Public Library, is the closing act of a career equally honorable to himself and beneficial to the city, whose interests he has most faithfully served, therefore

*Resolved*, That the thanks of the City Council of Boston are hereby tendered Mr. Bigelow for his long and arduous public labors, which date back to a very early era in our municipal history, and have been thus recently terminated.

*Resolved*, That in every position which he has been called upon to occupy, as a member of the Common Council seven years, over which he presided with marked and well remembered ability—as Mayor during three years of eventful interest—and as a Trustee of the Public Library from its inception until now, Mr. Bigelow has been diligent, devoted and distinguished, and his services have only been measured by his strength and opportunities.

*Resolved*, That by his earnest and efficient labors during the early period of his Mayoralty for the establishment of a Free City Library, by his application of a fund raised as a personal testimonial to himself to this great object—it being the first money appropriated for the purpose—and by his exertions in securing the financial aid of two of its earliest and most munificent patrons, he has well earned the title of the founder of the Public Library of the City of Boston, and as such he must always be recognized, respected and remembered.

ORDERS PASSED.

On motion of Alderman Talbot,

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized to employ suitable persons during the present municipal year to assist them in making estimates, betterments, and performing such other services as they may require, at an expense not exceeding the sum of $5000, the same to be charged to the appropriation for laying out and widening streets.

On motion of Alderman Richards,

Ordered, That the Chief Engineer be and he is hereby authorized to purchase, under the direction of the Committee on the Fire Department, one pair of horses for Hook and Ladder Company No. 1, at an expense of $850, the same to be charged to the appropriation for the Fire Department.

Ordered, That the sum of $800 be and is hereby appropriated for the repairs of (old) Engine No. 5, under the direction of the Chief Engineer, the same to be charged to the appropriation for the Fire Department.

Ordered, That the Chief-Engineer, under the direction of the Committee on the Fire Department, be and he is hereby authorized to contract for a four-wheeled hose carriage, at an expense not exceeding $600, the same to be charged to the appropriation for the Fire Department.

Ordered, That the Committee on the Fire Department, (Aldermen Richards, Seaver and Hawes,) with such as the Common Council may join, constitute a joint special committee to examine and approve the necessary expenditures from the appropriation for the Fire Department, as required by the terms of the Appropriation bill of 1868.

Ordered, That the Committee on Fire Alarms be authorized to expend, when necessary, a sum not exceeding $500, in each case, for attaching the proper striking apparatus to any of the bells in the city—said sums to be charged to the appropriation for Fire Alarms.

On motion of Alderman James:

Ordered, That the Committee on the Common (Aldermen James, Richards and Bradlee,) with such as the Common Council may join, constitute a joint special committee to examine and approve the necessary expenditures from the appropriation for the Common and the Public Squares, as required by the terms of the Appropriation bill of 1868.

On motion of Alderman Talbot,

Order to pay Michael H. Gleeson $4800 for land taken and damages occasioned by the widening of Summer street, by resolve passed Nov. 17, 1868.

Order to pay Michael H. Gleeson $17,330 for land taken and damages occasioned by the widening of High street, by resolves passed Nov. 17, 1868.

On motion of Alderman Van Nostrand,

Ordered, That the Committee on Police be requested to consider and report on the expediency of having a Station House in Ward Thirteen.

On motion of Alderman James,

Ordered, That the City Treasurer be directed to abate the assessment of $89 74 on George D. Lord, 103 Princeton street, for a sidewalk, by reason of inability to pay the same.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## JAN. 28, 1869.

The regular weekly meeting of the Common Council was held at 7½ o'clock this evening, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of David Block for renewal of lease in Bridge estate on Court street, and of Isaac Samuels to be refunded amount paid by him for a tax title on estate in Springer place, were referred in concurrence.

The notice of a vacancy in the Board of Directors for Public Institutions, occasioned by the decease of Francis C. Manning, was referred to the Committee on Nomination of Directors, in concurrence.

The order appointing a joint committee to consider the expediency of purchasing the property and rights of the East Boston Ferry Company was adopted, in concurrence, and Messrs. Andrew Hall, Thomas Dinsmore, Joseph T. Ryan, Jeremiah H. Pote and John O. Poor, the Committee on Ferries of the Common Council, were joined to the committee.

The petitions of I. S. Evans and fifty-two others, Dyer & Gurney and sixty-five others, and C. H. & F. B. Day and fifty-nine others, that the city would purchase the property and rights of said Company, were referred to the above committee, in concurrence.

The resolution of thanks to the Hon. John P. Bigelow, for his long and arduous public labors, recently terminated by his resignation as a Trustee of the Public Library, being under consideration.

Mr. Keith of Ward Fifteen said the resolutions expressed so fully the distinguished services performed by Mr. Bigelow that nothing need be said, yet from his personal knowledge of some of those services, he could not let the opportunity pass of saying a word in approval of them. It was well-known that through the eminent services of Mr. Bigelow the Public Library was established, and from the first day in which it went into operation he had not failed to promote its interests, and in all the time in which he had acted as a Trustee, there was no single instance in which, while he was able, that he was absent from the meetings of the board. Now, in his declining years, when about to retire from his public duties, it was fitting and proper that resolutions of this character should be passed, and he hoped they would be adopted by a unanimous vote.

The resolutions were read a second time by their title, and passed by a unanimous vote.

The order authorizing the Committee on Fire Alarms to expend not over $500, in each case, for attaching striking apparatus to any of the bells of the city, was read once.

The order appointing the Committee on the Fire Department to be joined, a committee to examine and approve the expenditures of said Department, as required by the appropriation bill, was adopted, and the Committee on the Fire Department of the Common Council were joined to the Committee.

The order appointing the Committee on the Common to be joined, a committee to examine and approve the expenditures for Common and Squares, as required by the appropriation bill, was adopted in concurrence, and the Committee on Common and Squares, of the Common Council, were joined to the Committee.

The certificate of the election of Thomas L. Jenks as a Trustee of the City Hospital, in the place of Edward E. Batchelder, chosen by the Common Council, was read.

The Council proceeded to the election of a Trustee, and Messrs. Keaney of Ward Two, Woods of Ward Twelve, and Leonard of Ward Eleven, were appointed a committee to receive, sort and count the votes. The Committee reported as follows:

Whole number of votes.....49
Necessary to a choice.....25
Edward E. Batchelder.....22
Thomas L. Jenks.....27

Five ballots cast for Directors of Public Institutions were not counted. Mr. Jenks was declared to be elected, in concurrence.

UNFINISHED BUSINESS.

The order requesting the Mayor to appoint the members of the Common Council special policemen was considered.

Mr. Keith of Ward Fifteen said that having been appointed such an officer last year, and not having, learned what its duties or emoluments were, he wished to be informed what they were and what the object of obtaining the proposed badge was. If the members were to be policemen they should have a billy. Unless he could learn something more in relation to the matter he should move to lay the order on the table. The motion was made and lost.

Mr. Hopkins of Ward Ten said he offered the order as a matter of courtesy to the new members.

Mr. Ingalls of Ward Twelve said he should decline the honor of being appointed a special policeman. If the appointment must be made he should be in favor of providing the members with an uniform, billy and revolver, and assign them to some beat. There had been much talk outside about this matter, and it was believed to be a very foolish expenditure of money.

The order was passed by a vote 35 to 12.

The order authorizing the Auditor of Accounts to transfer from the reserved fund to the appropriation for the Engineer's and Surveyor's Department one thousand dollars, to be expended for such surveys, plans and maps as may be required under the order of the 22d of December last, in relation to the proposed annexation of Dorchester, was considered.

On motion of Mr. Flynn of Ward Seven, the order was amended to provide that the money be expended under the direction of the Committee on the Surveyor's Department.

As amended, it was passed, yeas 51, nays none

REPORTS OF COMMITTEES.

Mr. Batchelder of Ward Four, from the Joint Special Committee to nominate Directors of Public Institutions, reported the names of the following persons:

Board of Aldermen—Lewis Rice.

Common Council—William M. Flanders, Hollis R. Gray.

At Large—(For three years.) Sylvanus A. Denio, Increase E. Noyes, Samuel C. Cobb; for one year, to fill a vacancy by the decease of F. C. Manning, George P. French.

On motion of Mr. Flynn of Ward Seven, the Council proceeded to an election, and Messrs. Flynn of Ward Seven, Denny of Ward Ten, and Conant of Ward Fifteen, were appointed a committee to receive, sort and count the votes.

The Committee reported as follows:

Whole number of votes.....55
Necessary to a choice.....28
Alderman—Lewis Rice.....55
Common Council—Wm. M. Flanders....51
Wm. Woolley.....25
Hollis R. Gray.....24
At large—(3 yrs.)—S. A. Denio..... ....45
Increase E. Noyes..36
S. C. Cobb.....44
Wm. Seaver.....19
Geo. P. Darrow .. . 6
Zimri B. Heywood... 5
Henry Warren..... 5
T. W. Gould..... 3
Geo. P. Faunce..... 1
At large—(1 yr.)—Geo. P. French.....20
T. Warren Gould....17
Geo. P. Darrow..... 6
Zimri B. Heywood.. 5
Geo. P. Faunce..... 4
T. C. Collins..... 1
Wm. Seaver..... 1

Messrs. Rice, Flanders, Woolley, Denio, Noyes and Cobb were declared elected, and there was no choice on filling the vacancy for one year.

The ballot to fill the vacancy was reported as follows:

Whole number of votes.....56
Necessary to a choice.....29
T. Warren Gould.....25
Wm. Seaver.....13
George P. French.....11
Zimri B. Heywood..... 6
George. P. Darrow, G. P. Faunce, H. Warren, one each..... 3

The third ballot resulted as follows:

Whole number of votes.....55
Necessary to a choice.....28
T. Warren Gould.....28
Wm. Seaver.....13
Geo. P. French..... 7
Henry Warren..... 2
Z. B. Heywood..... 2
Geo. P. Darrow, Wm. Flanders, A. Plumer, one each..... 3

Mr. Gould was declared elected for one year.

The Joint Special Committee to nominate candidates for the Cochituate Water Board, made reports as follows:

Board of Aldermen—Benjamin James.

Common Council—Alexander Wadsworth, Lyman A. Belknap.

At Large—Nathaniel J. Bradlee, Charles H. Allen.

The above was reported by Aldermen Richards and Seaver.

Another ticket, recommended by S. T. Snow and S. B. Hopkins of the Common Council, was as follows:

Board of Aldermen—Benjamin James.

Common Council—Alexander Wadsworth, F. A. Osborn.

At Large—Nathaniel J. Bradlee, Charles H. Allen.

A third ticket, recommended by James J. Flynn of the committee, was as follows:

Board of Aldermen—Benjamin James.

Common Council—Sidney Squires, Lyman A. Belknap.

At Large—Nathaniel J. Bradlee, Charles R. Train.

On motion of Mr. Snow, the reports were laid on the table.

Mr. Lucas of Ward Seven, from the Joint Special Committee to nominate a candidate for Superintendent of Fire Alarms, recommended for reëlection John F. Kennard.

Mr. Woolley of Ward One, from the Committee to nominate candidates for Trustees of Mt. Hope Cemetery, reported candidates as follows:

Board of Aldermen—Edward A. White.

Common Council—Samuel B. Hopkins and Edmund B. Vannevar.

At Large—Joseph T. Paine.

These reports were severally accepted and ordered to be sent up.

Mr. Tucker of Ward Six, from the Committee on the Fire Department, to whom was referred the order authorizing the Committee on Public Buildings to repair Engine House No. 13, at an expense not exceeding $3000, reported that the order ought to pass.

The report was accepted, and the order was read a second time and passed.

Mr. Tucker, from the same committee, to whom was referred the order requesting the Chief Engineer of the Fire Department to give his opinion in regard to the necessity of having two Assistant Engineers in East Boston, and two in South Boston, transmitted a communication which they had received from the Chief Engineer. They further say, after carefully considering the subject, the committee are satisfied that it would be for the public interest to have an additional Assistant Engineer located at East Boston, and, therefore, recommend the passage of an accompanying ordinance, making the whole number of Assistant Engineers thirteen instead of twelve.

The Chief Engineer of the Fire Department in his communication, gives it as his opinion that the interest and safety of the city demands an additional engineer at East Boston, while at South Boston no such necessity exists. After making a statement of the number of inhabitants, with statistics relating to East Boston, embracing much material of an inflammable nature, he remarks that in many instances the apparatus has to be shifted to different pipes in order to obtain a supply of water, and can only be done by having the authority to command, and here much valuable time is consumed in the early and incipient stages of a fire, and many other points are neglected, which could be covered by the second Engineer. East Boston being only reached by ferriage, and that unreliable, the Engineer has a large amount of duty to perform, from the extent of the territory, in addition to putting out fires.

This Engineer is appointed to this district because his residence and business is there, but no gentleman could for a moment suppose that this officer would always be omnipresent; he must unavoidably be absent at times, for, like other men, he must provide for his family, and when absent there is no safety for this section of the city, so far as the authority and duty of the officer is concerned. In case of fire, help is sent at once, but fifteen or twenty minutes is the shortest time it can be made available, on account of the location and ferriage. The force of the district is as large as that of Charlestown or Lynn, and under the command of one man, till assistance reaches him from the city proper.

In relation to South Boston, it is stated that no such exigency exists, there being more means of access, better water resources and a more efficient force. Three Assistant Engineers besides the resident Engineer doing duty on the first alarm, and are within eight minutes of the resident Engineer.

This district, he says in conclusion, he considers better protected in case of fire, with one exception, than any other in the city—the exception being the want of a Ladder Company, which he hopes the City Council will provide at the earliest time.

The accompanying ordinance, relating to the Fire Department, provides for an amendment of the ordinance of August 20, 1861, as amended Jan. 31, 1868, by striking out the word "twelve" in each case and inserting "thirteen."

The report was accepted and the ordinance was read once.

Mr. Denny of Ward Ten thought the proper course would be to refer the ordinance to the Committee on Ordinances. He made such a motion, which was carried.

The same committee, to whom were referred the orders authorizing the purchase of a lot of land at the junction of Warren and Dudley streets, at an expense of $10,000, for the purpose of having erected thereon a building for a Hook and Ladder Carriage and a ward room for Ward Fourteen, made a report, in which they recommend that the accompanying order, authorizing the enlargement of the present Hook and Ladder House on the old burying ground on Eustis street, be substituted for the order referred to them. A similar order was passed by the Common Council of last year, but too late to receive the consideration of the Board of Aldermen.

The burying ground on Eustis street belongs to the city, and as there are no tombs or graves in the rear of the present building for a distance of twenty-eight feet, there can be no objection to the enlargement for the purpose of furnishing accommodations for the horses attached to the Ladder carriage. The necessary alterations can be made for less than $3000, while the expense for purchasing land in another locality and erecting a new building cannot be less than $30,000.

Ordered, That the Committee on Public Buildings be authorized to erect a brick building in the rear of, and connected with, the present Hook and Ladder House on Eustis street, and provide accommodations therein for the horses attached to Hook and Ladder Carriage No. 4; said addition not to extend more than twenty-eight feet in the rear of the present structure, and the expense of building the same not to exceed the sum of $3000, and to be charged to the appropriation for Public Buildings.

Ths report was accepted, and the order was read once.

EAST BOSTON FERRIES.

Mr. Hall of Ward One, from the Special Committee of the Common Council, to whom were referred the petitions of the National Dock and Warehouse Company, Manson & Peterson, Samuel Hall and others, that the city would purchase the property of the East Boston Ferry Co., made a report recommending the reference of the petitions to the Joint Special Committee on the subject. Accepted.

PETITIONS PRESENTED AND REFERRED.

J. H. Pote and Oliver Frost, to be compensated for damages to their lot on Seaver street, occasioned by excavations on the adjoining lot. Referred to Committee on Claims.

ORDERS PASSED.

On motion of Mr. Wilkins of Ward Nine, it was ordered that a committee, with such as the Board of Aldermen may join, be appointed to nominate a Superintendent of Public Buildings.

Messrs. Wilkins of Ward Nine, Hopkins of Ward Ten, and Davis of Ward Thirteen, were appointed the Committee on the part of the Common Council.

On motion of Mr. Batchelder of Ward Four, an order was read twice and passed, for the payment of bills for services rendered by persons directly connected with the city government.

On motion of Mr. Ingalls of Ward Twelve,

Ordered, That the City Messenger be directed to furnish each member of the City Council with one copy of Cushing's Elements of the Law and Practice of the Legislative Assemblies of the United States, the expense to be charged to incidental expenses.

On motion of Mr. Wadsworth of Ward Four, an order was passed, with a preamble setting forth that a bill had been introduced in the Legislature in relation to the purchase of the East Boston ferries, and that the City Solicitor be requested to appear before the committee of the Legislature having the same under consideration, and take such action as he may deem expedient to protect the city's interest.

On motion of Mr. Pickering of Ward Fourteen,

Ordered, That in the distribution of badges, the City Messenger be directed to provide them for the newly elected members only.

Mr. Jenks of Ward Three moved that the dates of the old ones be changed.

The Chair stated that the Council had no control over the old badges of members.

Mr. Snow of Ward Eleven raised a question of construction of the language of the order, whether it would not apply to all members, as newly elected.

The Chair stated that the Messenger would put his own construction on the language.

On motion of Mr. Ryan of Ward Thirteen,

Ordered, That the Committee on Bathing be re-requested to consider and report upon having a bathing house in Ward Thirteen.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## FEB. 1, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, his Honor Mayor Shurtleff in the chair.

PETITIONS PRESENTED AND REFERRED.

Blake & Alden, Palmer, Batchelders & Co. and eighty-seven others, F. W. Hollingsworth and fifty-eight others, Henry C. Ray and forty-seven others, and Wm. F. Green and forty one others, severally in favor of the purchase of the East Boston Ferry Company's property by the city. Referred to the special committee on that subject.

John F. Pray and 170 others that Eaton street be extended to Blossom street.

Nathan Matthews, for apportionment of betterment on Matthews street into three parts.

Theodore Otis and 300 others, for the extension of Harrison avenue from Eustis street to Dudley street.

Charles Hurlburt and others, that Shawmut avenue, between Bartlett and Washington streets, be straightened.

Boston Car Spring Company, for a right of way across Providence Railroad tracks, near Pynchon street.

Severally referred to the Committee on Streets.

Edward Cobb and 100 others, payers of rents and taxes, for protection against venders of fruits, candies, &c., in the streets. Referred to Committee on Police.

All the officers and patrolmen of the police force, that their pay may be increased. Referred to the Committee on Police.

Abby Welch, to be paid for personal injuries sustained for an alleged defect in Court street. Referred to Committee on Claims.

A. G. Delaporte and others, for the grade of Newman street. Referred to Committee on Paving.

Co. B, First Battalion of Cavalry, for allowance for rent of armory. Referred to the Committee on Armories, &c.

Fergus Brennan and others, for abatement of assessment for removal of a nuisance in Dunlow street. Referred to Committee on Health.

Charles U. Cotting, that the Tremont street drain opposite Common street may be lowered. Referred to Committee on Sewers.

John Town & Son, for a lamp in North Grove street. Referred to Committee on Lamps.

Barzilla T. Folger, for leave to sell articles at the corner of Temple place and Washington street. Referred to Committee on Licenses.

Samuel West, for leave to maintain a steam engine and boiler at No. 7 Avon place. Referred to Committee on Steam Engines, &c.

Bridget O'Brien, for compensation for injury sustained by falling on the ice in Hamilton street. Referred to Committee on Claims.

John Roessele, to be compensated for damages by raising the grade of Pynchon street. Referred to Committee on Paving.

L. F. Whiting and others, that the name of Foundry street, either in Ward Seven or in Ward Thirteen, be changed. Referred to Committee on Paving.

Joseph Silvera, to be appointed draw tender on Dover Street Bridge. Sent down.

Edward Millear, for a stand on the streets for the sale of articles. Referred to Committee on Licenses.

NOTICES OF INTENTION TO BUILD.

Mary Ann Hobbs, 287 North street; Davis Daum, Princeton, between Brooks and Putnam streets; Margaret McCarty, corner of Webber and Plymouth streets; Owen Howard, 13 South Margin street; C. Tilden, Jr., 9 to 21 Hampshire street; Silas Studley, 18 Bulfinch street; N. D. Randall, Seventh, between E and F streets; C. Tilden, Jr., 264 to 270 Dudley street; Angus Douglas, corner of Lenox and Sawyer streets; C. A. Richards, 1042 Washington street; J. & W. Cavanagh, Lehigh, near Albany street.

Severally referred to the Committee on Streets.

EAST BOSTON FERRY COMPANY.

The annual statement of the East Boston Ferry Company of the receipts and expenditures of the company for the year 1868, as sworn to by the Directors, was submitted and ordered to be printed.

The receipts are given as follows:

| | |
|---|---|
| For six months ending June 30, 1868 | $66,203 78 |
| " " " Dec. 31, 1868 | 72,532 09 |
| Total | $138,735 87 |

The expenditures were as follows:

| | |
|---|---|
| Wages and salaries | $49,469 81 |
| Coal, 4072 tons | 33,065 74 |
| Marine and Fire Insurance | 14,882 92 |
| Interest on Bonds and Notes | 11,856 50 |
| Repairs of boats and machinery | 8,379 57 |
| Repairs of drops and landings | 6,320 24 |
| U. S. Customs and Revenue tax | 4,047 34 |
| Rent of Sargent's wharf | 3,700 00 |
| City Water rates | 2,871 16 |
| Chandlery materials, &c | 2,661 94 |
| Professional services | 2,331 56 |
| Bond account | 2,243 62 |
| Carting and weighing coal | 1,875 19 |
| Boston and East Boston Gas Co | 1,573 38 |
| Oil, tallow and waste | 1,215 01 |
| State and City taxes | 1,165 92 |
| Printing, advertising, &c | 217 69 |
| Sundry damages | 128 50 |
| Depreciation | 25,000 00 |
| | $173,006 09 |
| Showing a deficit of | 34,270 22 |

Trial balance—

| | | |
|---|---|---|
| Capital stock | | $225,000 00 |
| Ferry property | $179,831 23 | |
| Dividend No. 3 | | 44 00 |
| " No. 4 | | 136 00 |
| Accounts payable | | 2,943 56 |
| Tollman's account | 215 00 | |
| Bond " | | 95,000 00 |
| Suspense " | 5,009 03 | |
| Notes payable | | 65,463 39 |
| Construction account | 197,704 65 | |
| Fuel " | 1,918 98 | |
| Cash " | 3,908 06 | |
| | $388,586 95 | $388,586 95 |

CITY HOSPITAL.

The fifth annual report of the Trustees of the City Hospital was presented in print. Read and sent down.

The number of patients treated in the Hospital during the year was 2219; discharged, 1875; died 163; remaining, 181; largest number at any one time, 230; smallest, 137; average, 172. Medical out patients, 3851; surgical patients, 2732; opthalmia, 1652; cutaneous, 559—total, 8794. The number of visits of out patients was 29,756. With an increase of patients of 33 per cent., the proportion of deaths was lower than ever before, being 7 3-10 per cent. There have been brought to the Hospital accidentally injured 417.

The estimate for current expenses was $85,000, which has been exceeded. The estimate for the present year is $90,000. Income from paying patients, $3000.

In view of the increased demand for hospital accommodations, the Trustees commend to the early attention of the City Council the necessity of the erection of additional pavilions, in accordance with the intent of the originators of the institution. The request is renewed for donations to the library. The report of the Superintendent gives, in considerable detail, the expenditures, with various statistics, the employment of patients admitted during the year, the various kinds of diseases, &c.

CITY REGISTRAR'S REPORT.

A report was received from the City Registrar, stating that he has received for certificates of intentions of marriage during the quarter ending Jan. 30, $516, which sum he has put into the City Treasury; and during the same period he has registered 3132 marriages. The number of births in the city during the year 1868, was 7192; the number of deaths was 5519. The usual detailed report will be presented to the City Council at the earliest possible moment.

REPORT OF SUPERINTENDENT OF FANEUIL HALL MARKET.

| | |
|---|---|
| Rent of stalls in market | $10,366 50 |
| " cellars " | 5,280 00 |
| " from permanent outside stands | 498 75 |
| Receipts from fees for weighing | 158 00 |
| Rents of stalls in new market | 3,030 00 |
| " " cellars " " | 1,462 50 |
| Total | $20,795 75 |

The whole amount of which was paid into the City Treasury.

HEARINGS ON ORDERS OF NOTICE.

The hearing on order of notice on petition to lay out Shoe and Leather street by the name of "John" street was taken up.

No person appearing, the order was recommitted.

The hearing on petition of Milo Whitney for leave to put up a steam engine at No. 1057 Washington street was taken up.

No person appearing in opposition, the report was recommitted.

WIDENING OF HANOVER STREET.

The hearing of petitioners on the request for delay in the widening of Hanover street was taken up.

A. A. Rauney, Esq., who appeared for remonstrants, called several witnesses in favor of the petition for postponement in the widening of the street.

Benjamin Bradley, located at 149 Hanover street, stated that he had been a tenant in that locality and in business as a dealer in clocks many years; he had now a lease running five years; the cutting off would take one-half of his store, and would oblige him to vacate the premises, much to the injury of his business; it would be very difficult to obtain a tenement at this time; any time within a year would be full short in obtaining a tenement; he knew of many leases which would expire in about a year.

W. P. B. Brooks had occupied a store on Hanover street for thirty years, and in view of the proposed improvement had been in pursuit of a store, but could not obtain one suitable for his purposes within a year; the cutting off would take twenty-two feet, more than one-third of his store. His entrance was not on Hanover street.

William A. Rust (Rust Brothers, 43 Hanover street,) stated that there would be great difficulties in obtaining such a tenement as he should need in his business. The cutting off would not necessitate a removal, but it would be a great hindrance to the business. Their lease expired in December last, but was conditionally renewed. The store is about ninety feet in depth. In case of extension of time, an effort would be made to obtain another store.

Elisha Myrick, of the firm of Heath, Cheney & Co., 85 Hanover street, stated that their lease would expire a year from next May. Since the 1st January he had made efforts to obtain a store. With a delay he might obtain a store, but they would be obliged to remove, for they could not do business to any advantage during the cutting off. The cutting off would make no special difference as to the time, for they would be obliged to leave.

Jos. H. Bancroft, 121 Hanover street, crockery and paper hanging business, had been engaged in that business for many years, and would be subjected to serious loss by the cutting off. Most of his store would be cut off, and no suitable store could be obtained at any price. His lease expired in August next, and had been renewed. There had been no serious consideration of the subject of widening the street when the renewal was made

Isaac Seabury said he and his brother had leases at 45 and 81 Hanover street, which expire in about a year; it will be a very great inconvenience to be obliged to move at this time.

Horace Partridge, 27 Hanover street, had a lease running near three years; he had not tried to get another store, and did not know where he could look for one; the store would be much injured by the cutting off, for it had little back land; if he had a year's time, he would reduce his stock, and attempt to get a new store; he did not wish to leave the street, but would be obliged to in case of widening.

A. O. Swect, had a lease which expired a year from next April, and would prefer to remain in the street; the front was wider than the rear, and the cutting off would spoil the store; he would as soon have it cut off in the spring as any time; he would not think of staying there should it be cut off; there was a talk of widening the street when he purchased the lease, but it was not believed that it would be done.

John J. Rayner stated that out of 23 leases of his father's estate, 21 expire in April, 1870.

John Simmons advocated a postponement for the reasons that on account of the proposed improvements already contemplated, labor and materials will rule very high, and by a postponement more time would be given to tenants to procure stores. He did not believe that this improvement was so much needed as were many others.

B. F. Edmands said he had heard that it was contemplated to extend Washington street to Portland street, and presumed it would be done. On that account he thought this project should be postponed. If Washington street should be extended, this cutting off should be deferred, and yet it had been urged that this should be pushed through, lest the carrying out of the other measure should defeat it.

Alderman Richards suggested that if any other evidence than of a cumulative character was to be offered, it would be well to put it in; otherwise that the hearing should close.

Mr. Rauney stated that the further evidence was mainly cumulative.

The report was laid on the table.

COMMON COUNCIL PAPERS.

Petitions from the Common Council were referred in concurrence.

The order to request the City Solicitor to appear before the Legislative Committee on the East Boston Ferries, to protect the City's interest, coming up—

Alderman Talbot said he did not know which side the Common Council desired the City Solicitor to take, and in the absence of that knowledge, hoped the order would not pass. The order was lost.

The Ordinance to increase the number of Fire Engineers to *thirteen*, referred to Committee on Ordinances, being under consideration,

Alderman Richards said it appeared that the ordinance came from the Committee on Fire Department of the Common Council, and as it had not been to any Committee of the Board, it should be referred to the same committee in this branch.

The question was stated to be on concurrence with the Council.

Alderman Richards did not think the reference proposed would interfere with the final disposition of the matter in concurrence with the Council. On his motion the ordinance was referred to the Committee on Fire Department of the Board.

The order to furnish each member of the Common Council with a large copy of Cushing's Manual was considered.

Alderman Talbot inquired if the reading of the order was the Common Council or the City Council.

The Mayor replied, the City Council.

Alderman Richards wished to know if the members of the last City Council were furnished with copies of the work; if so, they should be furnished only to new members.

Alderman Talbot said it was understood that they were last year.

The Mayor replied that the furnishing of such works had never before been done. The previous purchase had been of Cushing's Manual, a small work.

Alderman Talbot said if such was the case, a proper reference of this subject would be to the Committee on Printing.

A motion for such reference was carried.

The order to repair Engine House No. 13, on motion of Alderman Richards, was referred to the Committee on Public Buildings.

The report and order to allow Dorchester Commissioners to expend $1000 for plans and surveys, was passed, in concurrence—yeas eleven, nays none.

The following orders were passed, in concurrence:

Order that the Committee on Bathing consider the expediency of establishing a bath house in Ward Thirteen.

Order to pay bills of certain members of City Government.

Order for appointment of Members of Common

Council as special Police Officers, and for appropriate badges.

Order to limit said badges to new members only.

DIRECTORS OF PUBLIC INSTITUTIONS.

The report of Committee on Nominations was accepted in concurrence, and the Board proceeded to an election.

Mr. Bradlee, of the Committee, said he was authorized to withdraw the name of Hollis R. Gray, nominated by the committee.

The ballot for Directors resulted as follows:

Whole number of votes.....12
Necessary to a choice..... 7
Alderman Lewis Rice.....12
Common Council—Wm. M. Flanders....12
Wm. Woolley.....11
At large (3 years)—Sylvanus A. Denio... 9
Increase E. Noyes... 8
Samuel C. Cobb.....11
Wm. Seaver..... 6
Geo. P. French..... 1
T. W. Gould..... 1
At large (1 year)—Geo. P. French..... 4
Wm. Seaver..... 3
Z. B. Heywood..... 1

Alderman Rice, and Messrs. Flanders, Woolley, Denio, Noyes and Cobb were declared to be elected, in concurrence, and for a Director for one year, to fill a vacancy occasioned by the death of F. C. Manning, there was no choice.

Further ballotings resulted as follows:

| | 2d. | 3d. | 4th. |
|---|---|---|---|
| Whole number..... | 12 | 12 | 12 |
| Necessary to a choice..... | 7 | 7 | 7 |
| William Seaver..... | 4 | 3 | 3 |
| T. Warren Gould..... | 4 | 3 | 3 |
| George P. French..... | 4 | 5 | 6 |
| W. J. Seaver..... | | 1 | |
| | 5th. | 6th. | 7th. |
| Whole number of votes..... | 12 | 12 | 12 |
| Necessary to a choice..... | 7 | 7 | 7 |
| George P. French..... | 6 | 6 | 3 |
| Wm. Seaver..... | 6 | 6 | 7 |
| Chas. E. Wiggin..... | | | 2 |

Mr. Seaver was declared elected for one year in non-concurrence.

TRUSTEES OF MOUNT HOPE CEMETERY.

The report of Committee to Nominate Trustees of Mount Hope Cemetery was accepted, in concurrence, and the election took place as follows:

Whole number of votes.....12
Necessary to a choice..... 7
Alderman—Edward A. White.....11
Common Council—Samuel B. Hopkins.....9
Edmund B. Vannevar....11
E. Gray..... 1
T. W. Gould..... 1
Wm. Woolley..... 1
At large—Jos. P. Paine.....12

Alderman White, and Messrs. Hopkins, Vannevar and Paine were declared elected on the part of this Board.

SUPERINTENDENT OF FIRE ALARMS.

John F. Kennard was reëlected by a unanimous vote.

SUPERINTENDENT OF PUBLIC BUILDINGS.

The order to appoint a joint committee to nominate a Superintendent of Public Buildings was non-concurred in, when James C. Tucker was reelected by a unanimous vote.

SUPERINTENDENT OF HEALTH.

Alderman Bradlee, from the Committee to nominate a candidate for Superintendent of Health, reported that the Committee had been unable to agree.

Three persons were recommended by different portions of the Committee, Charles R. Cutter by Alderman Bradlee and Councilman Young; Geo. W. Forristall by Alderman Fairbanks and Councilman Jenks, and Lucius W. Knight by Councilman Osborn.

An election of Superintendant of Health took place as follows:

| | 1st ballot. | 2d. | 3d. | 4th |
|---|---|---|---|---|
| Whole number of votes..... | 12 | 12 | 12 | 12 |
| Necessary to a choice..... | 7 | 7 | 7 | 7 |
| Geo. W. Forristall..... | 5 | 6 | 5 | 7 |
| Lucius W. Knight..... | 5 | 5 | 6 | 5 |
| Chas. R. Cutter..... | 2 | 1 | 1 | |

Mr. Forristall was declared elected on the fourth ballot.

Mr. Pratt, from the Committe to Nominate Candidates for Trustees of the Public Library, made a report, and an election took place as follows:

Whole number of votes.....12
Necessary to a choice..... 7
Alderman—J. T. Bradlee.....11
Common Council—Wm. G. Harris.....12
James M. Keith.....12
At Large—Wm. W. Greenough.....12
Jarvis D. Braman..... 12

The above named, the nominees of the Committee, were declared to be elected.

Alderman Hawes, from the Committee to Nominate a City Physician, reported as the candidate Dr. Wm. H. Page.

An election took place as follows:

| | 1st ballot. | 2d. | 3d. | 4th |
|---|---|---|---|---|
| Whole number of votes..... | 12 | 12 | 12 | 12 |
| Necessary to a choice..... | 7 | 7 | 7 | 7 |
| Wm. H. Page ..... | 6 | 6 | 6 | 7 |
| Wm. Read..... | 5 | 4 | 5 | 4 |
| Jos. S. Jones..... | 1 | 2 | 1 | 1 |

Dr. Page was declared elected.

APPOINTMENTS MADE AND CONFIRMED.

Under the order of the Common Council, the Mayor appointed the members of the Common Council special police officers, without pay.

The following appointments were also made:

POLICE OFFICERS.

Police officers with all the power of constables except the power of executing civil process: F. C. Nutting, Benjamin Proctor, Samuel Austin, Jr., William Gallagher, Samuel J. Lowell, William J. Morey, Thomas Ryan, James M. Day, J. Sumner Gove, Emery A. Dresser, Daniel T. Sullivan, John C. Kellum, Samuel Emerson, William C. Johnson, George W. Hathaway, Lewis H. Bonner, William Cumley, J. E. Upham, Josiah W. Stetson, Dennis S. Dailey, Augustus Luce, John H. F. Hout, James McCormick, Leonard M. Pike, John E. Knowlton, Francis Franklin, A. H. T. Simpson, A. K. Young and Edward B. Myers.

Special Police Officers without Pay—James M. Dooley, for duty at the Skating Rink; Charles Hibbard, for duty at the Morgan Chapel.

The appointment of Geo. W. Thompson as driver of Hook and Ladder Co. No. 1 was confirmed, and numerous officers of Hose, Hook and Ladder companies, &c., were confirmed, as recommended by the Board of Engineers and the Mayor.

REPORTS OF COMMITTEES.

Mr. White, from the Committee on Licenses, reported in favor of a license on petition of R. M. Field, for the Museum; of George M. Baker, to give a dramatic entertainment; of James Redpath, for lectures by Prof. Du Chailiu. Severally accepted.

The same Committee reported in favor of granting license to A. S. Eaton, for two hack stands in Garden street; also in favor of sundry persons as victuallers. Severally accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intentions to build. Accepted.

Alderman Van Nostrand, from the Committee on the Assessors' Department, on the order in relation to the election of three additional Assessors, reported an order amending the ordinance in relation to the assessment of taxes. The ordinance was read once.

Alderman James, from the Committee on Paving, on the petition of the Albany Street Freight Railway Co. for an extension of their location in Albany street, reported an order, which was passed, as follows:

Ordered, That permission be and hereby is given to the Albany Street Freight Railway Company to lay down a single track on Albany street from East Brookline street to Hampden street, with the right from time to time to lay down such branch tracks to any wharf or wharves adjacent to said Albany street as the Committee on Paving may deem expedient.

The right to lay down the tracks located by this order is upon the condition that the whole work of laying down the tracks, the precise location of the same, and the form of rail to be used, shall be under the direction and to the satisfaction of the Committee on Paving and the Superintendent of Streets, and shall be approved by them. Also upon the condition that the space between the rails and three feet outside thereof shall be paved with

such kind and quality of pavement as the Superintendent of Streets shall direct.

Also, upon the condition that the said Albany Street Freight Railway Company shall accept this order of location, and agree in writing to comply with the conditions therein contained, and file said acceptance and agreement with the City Clerk within twenty days of the date of its passage; otherwise it shall be null and void.

Alderman Talbot, from the Committee to nominate candidates for Superintendents of Bridges, made a report, as follows:

Chelsea Street Bridge—Edward T. Stowers.
Dover Street Bridge—Joseph Silvera.
Federal Street Bridge—Jacob Norris.
Meridian Street Bridge—Abner Knight.
Mount Washington Avenue Bridge—George H. Davis.

The report was accepted and ordered to be sent down, and Monday next was assigned for election of Superintendents of Bridges.

Alderman White, from the Committee on Health, on the petition of Jos. Dow, reported that they were unable to see that any injustice had been done to the petitioner, and they accordingly reported that he have leave to withdraw. Accepted.

The same Committee reported in favor of granting leave to Eames & Tucker to erect a stable for more than four horses at 127 Brookline street. Accepted.

ORDERS OF NOTICE.

On petition of Samuel West, for leave to maintain a steam engine and boiler on Avon place. Hearing on Tuesday, Feb. 23, at 4 P. M.

On petition of Owen Russell, for leave to erect a stable for six horses at 103 Dedham street. Hearing, Monday, Feb. 8, 4 P. M.

A petition was presented from Peter B. Brigham and others, that the order for the widening of Hanover street be issued at once. Referred to the Committee on Streets.

ORDERS PASSED.

Alderman Richards offered the following order, which was passed:

Whereas, Archibald Smith, formerly a member of Engine Co. No. 8, was injured while in the discharge of his duty as a fireman of the city of Boston by being ruptured,

Ordered, That there be allowed and paid to Archibald Smith the sum of $100 on account of injuries sustained while a member of the Fire Department, the same to be charged to the appropriation of Fire Department.

Order to lay out Shoe and Leather street by the name of John street.

Order that the City Physician, with the concurrence of the the Health Committee, be and he is hereby authorized to take such measures in regard to causes or occurrence of danger to the public health as they may deem necessary and proper for its preservation.

On motion of Alderman Talbot,

Ordered, That the Committee on Laying-out and Widening Streets consider the expediency of laying-out a new street, forty feet in width, from Harrison avenue to Albany street, parallel with and two hundred feet from Dover street, over land belonging to the city of Boston, and report at the next meeting of this Board.

On motion of Alderman Rice,

Ordered, That the Mayor be authorized to discharge the mortgage given to the city of Boston by Chas. H. Stedman and wife, on an estate in Dover street, dated March 25, 1861, and recorded with Suffolk deeds, liv. 795, fol. 59, the note for which said mortgage was given and the interest thereon having been fully paid.

SUPERINTENDENT OF COMMON.

The usual annual order was passed authorizing the Mayor to appoint a Superintendent of Common and Public Squares.

The Mayor, in accordance with the order, nominated John Galvin as Superintendent of Common and Public Squares, and the nomination was confirmed.

The report on the order of notice relative to the widening of Hanover street was taken up, when, on motion of Alderman Pratt, the petitioners for a delay in the widening of said street had leave to withdraw.

The report on salary of Church Street Commissioners, with the proposal to increase it to $2500, was taken from the files as unfinished business of 1868, and recommitted to the Committee on the Church street district.

The report of the Committee on Salaries was taken up, when additional amendments, proposed by Alderman James, from the Joint Special Committee, were adopted, as follows:

A horse and vehicle for the use of the Mayor, to be charged to Incidentals.

To the City Treasurer an increase of five hundred dollars per annum.

To the City Auditor an increase of five hundred dollars per annum.

To the City Clerk an increase of five hundred dollars per annum.

To the Treasurer, for clerk hire, an increase of two hundred dollars.

To the Secretary of the Board of Engineers an increase of two hundred dollars per annum.

On motion of Alderman Seaver the salary of the Superintendent of Faneuil Hall Market was increased $200.

The report was again laid on the table, and ordered to be printed.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## FEB. 4, 1869.

The regular weekly meeting of the Common Council was held at 7½ o'clock this evening, Wm. G. Harris, the President, presiding.

PAPERS FROM THE BOARD OF ALDERMEN.

The reports of the City Registrar and of the Trustees of the City Hospital were placed on file.

The petitions of sundry persons for the purchase of the East Boston Ferry property, and of Abby Welch and Bridget O'Brien severally for compensation for injuries in the streets, were referred in concurrence.

The certificates of election of various city officers by the Board of Aldermen were received, and elections took place as follows:

SUPERINTENDENT OF PUBLIC BUILDINGS.

Messrs. Wilkins of Ward Nine, Emerson of Ward Six and Going of Ward Three were appointed a committee to receive, sort and count the votes for a Superintendent of Public Buildings. The committee reported as follows:

Whole number of votes.....58
Necessary to a choice.....30
James C. Tucker .....55
J. L. Ross.... ..... 3

Mr. Tucker was declared to be elected, in concurrence.

SUPERINTENDENT OF FIRE ALARMS.

Messrs. Butler of Ward Ten, Nelson of Ward Nine, and Johnson of Ward Twelve were appointed a committee to receive, sort and count the votes for Superintendent of Fire Alarms.

The committee reported as follows:

Whole number of votes.....52
Necessary to a choice.....27
John F. Kennard..... .....52

Mr. Kennard was declared to be elected, in concurrence.

TRUSTEES OF THE PUBLIC LIBRARY.

The report of the committee to nominate Trustees of the Public Library was accepted, in concurrence.

The election of Trustees of the Public Library was taken up, and Messrs. Gray of Ward Twelve, Malone of Ward Two and Braman of Ward Six were appointed a committee to receive, sort and count the votes.

The committee reported the result as follows:

Whole number of votes.....58
Necessary to a choice.....30
Alderman—J. T. Bradlee .. .....56
Common Council—Wm. G. Harris.....51
James M. Keith.....32
Geo. P. Denny .. .....28
Sidney Squires..... 2
At Large—Wm. W. Greenough.....54
Jarvis D. Braman.....48
Edward E. Hale.... .....12

Alderman Bradlee, Councilmen Harris and Keith, and Messrs. Greenough and Braman, were declared to be elected, in concurrence.

TRUSTEES OF MOUNT HOPE CEMETERY.

It was voted to proceed to the election of Trustees of Mount Hope Cemetery, and Messrs. Wilkins of Ward Nine, Judson of Ward Fourteen and Crowley of Ward Seven were appointed a committee to receive, sort and count the votes.

The committee reported as follows:

Whole number of votes.....58
Necessary to a choice.....30
Aldermen—Edward A. White.....44
Newton Talbot .. ..... ...11
F. Richards..... 1
W. E. Hawes..... 1
J. T. Bradlee..... 1
Common Council—Samuel B. Hopkins..56
Edm'd B. Vannevar..57
J. K. Crowley..... 1
F. A. Osborn..... 2
At large—Joseph P. Paine..... 36
Isaac Palmer ..... 8
Henry W. Wilson..... 2
Horace Jenkins.....14

DIRECTORS OF PUBLIC INSTITUTIONS.

The certificate of the election of Wm. Seaver as a Director for Public Institutions, in the place of T. Warren Gould, chosen by the Common Council, was read.

The Council proceeded to an election, and Messrs. Tucker of Ward Six, Wilkins of Ward Nine and Young of Ward One were appointed a committee to receive, sort and count the votes.

The committee reported as follows:

Whole number of votes.....58
Necessary to a choice.....30
Geo. P. French.....34
Wm. Seaver..... .....19
T. Warren Gould..... 4
Henry Warren..... 1

Mr. French was declared to be elected, in non-concurrence.

The following orders were passed, in concurrence:

Order to pay Archibald Smith $100, on account of injuries sustained while a member of the Fire Department.

Order to take from the files the subject of raising the salaries of the Church Street Commissioners, and refer the same to the Committee on the Church Street District.

The following matters were referred, in concurrence:

Reference to the Committee on Public Buildings of the order authorizing repairs on Engine House No. 13.

Reference to the Committee on Printing of the order concerning "Cushing's Parliamentary Law and Practice."

CITY PHYSICIAN.

The report of the Committee to Nominate a City Physician was accepted, in concurrence, and a motion was made to go into an election.

Mr. Batchelder of Ward Four inquired of the committee the reason why Dr. Read was dropped, since he had discharged his duties faithfully.

Mr. Hobbs of Ward Fourteen, of the committee, stated in reply that Dr. Page was the unanimous nomination of the committee, who had fully considered the subject.

Messrs. Hobbs of Ward Fourteen, Braman of Ward Six and Noyes of Ward Five were appointed a committee to receive, sort and count the votes for City Physician.

The committee reported as follows:

Whole number of votes.....59
Necessary to a choice .....30
William Read.....27
William H. Page.....28
F. A. Bundy..... ..... 2
Joseph S. Jones..... 2

A second ballot was as follows:

Whole number of votes..... ..... .....59
Necessary to a choice..... .....30
William Read..... ....30
William H. Page.... .....28
Joseph S. Joues..... 1

Dr. Read was declared to be elected, in non-concurrence.

SUPERINTENDENT OF HEALTH.

The report of the Committee to nominate a Superintendent of Health was accepted, in concurrence, and it was voted to proceed to an election.

Messrs. Pickering of Ward Fourteen, Batchelder of Ward Four and Kingsbury of Ward Fifteen were appointed a committee to receive, sort and count the votes.

The committee reported as follows:

Whole number of votes.....59
Necessary to a choice.....30
Geo. W. Forristall.....25
Chas. R. Cutter..... 7
Lucius W. Knight.....27

Mr. Flynn of Ward Seven said he had been requested by Mr. Cutter to withdrew his name.

A second ballot resulted as follows:

Whole number of votes.....59
Necessary to a choice.....30
George W. Forristall.....28
Lucius W. Knight.....31

Mr. Knight was elected, in non-concurrence with the Board of Aldermen.

The report of the Committee to nominate Superintendents of Bridges was accepted, in concurrence.

ENGINEERS OF THE FIRE DEPARTMENT.

The report of the Committee to nominate Engineers for the Fire Department was accepted, in concurrence, and the Council proceeded to an election.

Messrs. Tucker of Ward Six, Woolley of Ward One and Wilkins of Ward Nine were appointed a committee to receive, sort and count the votes for Chief Engineer of the Fire Department.

The Committee reported as follows:

Whole number of votes.....58
Necessary to a choice.....30
John S. Damrell.....55
R. J. Fennelly..... 1
George P. Darrow..... 1
David Chamberlin..... 1

John S. Damrell was declared to be elected.

The same committee were appointed to receive, sort and count the votes for Assistant Engineers.

The committee reported as follows:

Whole number of votes.....57
Necessary to a choice.....29
John S. Jacobs.....57
John W. Regan.....57
David Chamberlin.....43
Zenas E. Smith.....54
Geo. Brown.....39
Joseph Dunbar.....57
William A. Green.....56
Elijah B. Hine.....57
Phineas D. Allen.....57
James Munroe.....54
John Culligan.....29
Rufus B. Farrar.....55
Geo. White.....28
Wm. H. Cunningham.....21
Thomas Brannon..... 9
Samuel D. Harrington..... 8

Messrs. Jacobs, Regan, Chamberlin, Smith, Brown, Dunbar, Green, Hine, Allen, Munroe, Culligan and Farrar, all members of the old Board, were declared to be elected and all of them on the ticket regularly nominated.

The non-concurrence in the order for a committee to nominate a Superintendent of Public Buildings was ordered to be placed on file, an election having taken place.

A certificate of the appointment of the members of the Common Council as special police officers, without pay, was ordered to be placed on file.

WATER BOARD.

The report of the committee to nominate a Cochituate Water Board was taken from the table, the rules having been suspended for that purpose, on motion of Mr. Snow of Ward Eleven, and it was voted to proceed to an election.

Messrs. Snow of Ward Eleven, Cole of Ward Five and Daniels of Ward Four were appointed a committee to receive, sort and count the votes.

The committee reported as follows:

Whole number of votes.....59
Necessary to a choice.....30
Alderman—Benjamin James.....59
Common Council—Alex. Wadsworth....27
Lyman A. Belknap...26
F. A. Osborn.....28
Sidney Squires.....16
M. F. Wells.....12
Thos. Dinsmore..... 1
At Large—Nathaniel J. Bradlee.....56
Charles R. Train.....37
Charles H. Allen.....21
Charles H. Train..... 1
Sidney Squires..... 1

Alderman James, and Messrs. N. J. Bradlee and Charles R. Train, at large, were declared to be elected.

A second ballot, for members on the part of the Common Council, resulted as follows:

Whole number of votes.....58
Necessary to a choice.....30
F. A. Osborn.....33
Lyman A. Belknap.....28
Alexander Wadsworth.....27
Sidney Squires..... 8
M. F. Wells.....11

Mr. Osborn was declared elected, and there was one vacancy.

Messrs. Squires and Wells withdrew their names as candidates.

A third ballot to fill the remaining vacancy resulted as follows:

Whole number of votes.....56
Necessary to a choice.....29
Alexander Wadsworth .....29
Lyman A. Belknap.....27

Mr. Wadsworth was declared elected.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## FEB. 8, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at four o'clock, Alderman James, Chairman of the Board, presiding.

PETITIONS PRESENTED AND REFERRED.

C. R. Classen and others, that an alarm bell be placed on the grain elevator of the Boston & Albany Railroad Company on Chandler street. Referred to Committee on Fire Alarms.

Maria O'Malley, to be compensated for personal injuries sustained by a fall in Harrison avenue. Referred to Committee on Claims.

Thos. Manning and others, for the grading of Q street, from Broadway to First street.

John Mullay, for the grade of Newman street.

N. F. Berry, for the grade of Newman street.

Wm. C. Poland and others, that Malden street be paved.

Lemuel A. Coolidge and others, to be paid for damages caused by change of grade of Canton street.

W. E. Hicks, to be paid for grade damages on Shawmut avenue.

Severally referred to the Committee on Paving.

Clement Willis, for apportionment of betterment on High street into three parts.

Charles H. Hersey and others, that Athens street, between B and C streets, be laid out as a highway.

Edwin Adams, to be compensated for loss and damage caused by interference with his intention to build on Harrison avenue and Indiana street in June last.

Alvin Adams and 52 others, and Cyrus Wakefield and 93 others, for extension of Devonshire street to Hanover street.

Severally referred to the Committee on Streets.

Company F, First Massachusetts Infantry, for a new armory. Referred to Committee on Armories.

J. Harvey Young, Nathaniel C. Nash, and 32 others, that the Public Library reading room may be opened on Sunday afternoons and evenings. Referred to Committee on Public Library.

C. D. Cobb & Brothers and 30 others, Zenas Snow, Ryder & Hardy and 27 others, mercantile houses, Cornelius Lovell and 39 others of East Boston, John H. Weston and 56 others of East Boston, for the purchase of the property of the East Boston Ferry Company by the city. Referred to the Committee on Ferries.

The petition of Bridget Gallagher and eleven other women, representing themselves as orderly and law abiding, respectfully requested that the permits which have been kindly granted to them for the purpose of maintaining fruit stands at the places designated in said permits, was indorsed by J. C. Tyler & Co. and about fifty others, importers and wholesale dealers in fruits, who express the belief that the convenience of many in the community is met by this trade, and also the comfortable support of families dependent upon said petitioners will be the result of granting this petition, without any evil resulting therefrom. Referred to Committee on Police.

NOTICES OF INTENTION TO BUILD.

S. J. & G. Tuttle, 170 Tremont street; F. Rose, corner of Warren street and Stanmore place; Henry P. Wilson, corner of Causeway and Merrimac streets; I. & H. M. Harmon, 37 Marlborough street; C. K. Kirby, 24 and 26 Hancock street; P. J. Hughes, 9 and 11 Milford street; Wm. Glass, Newman street, between Lowland and Dorchester streets; Joseph Wagner, Sixth street, between B and C streets; Nathaniel Adams, corner of Washington and Essex streets; John Mullay, Newman street, between Lowland and Dorchester streets; J. H. Milligan, 307 Federal street; Chas. Simmons, corner of Sumner and Border; J. H. Milligan, Fourth street, between C and D streets; J. L. Roberts, Anderson street, also on West Cedar street; E. C. Drew and others, on Harrison avenue, opposite Hamburg street.

CITY CLERK'S QUARTERLY REPORT.

The report of the city clerk, for the quarter ending Jan. 31, 1869, was received and ordered to be sent down. The statement is as follows:

| | |
|---|---|
| Received for recording mortgages of personal property, liens, &c. | $448 89 |
| For use of Faneuil Hall in 1868 | 150 00 |
| For licenses of auctioneers | 50 00 |
| For licenses of intelligence offices | 5 00 |
| For licenses of billiard rooms | 67 00 |
| Record of goods found | 25 |
| Total | $721 25 |

All of which has been paid into the City Treasury.

OVERSEERS OF THE POOR'S QUARTERLY REPORT.

The report of the Board of Overseers of the Poor of the city, for the quarter ending Jan. 31, 1869, gave the following statements of the receipts and expenditures.

| | |
|---|---|
| Cash on hand Oct. 31, 1868 | $2,653 35 |
| Draft on City Treasurer | 15,000 00 |
| Cash from cities and towns | 1,720 75 |
| Total | $19,374 10 |

The expenditures were as follows:

| | |
|---|---|
| Paid for burials | $653 25 |
| " cities and town for relief of Boston poor | 115 37 |
| " expenses City Temporary Home | 2,892 68 |
| " pensions and grants at office | 3,506 00 |
| " immediate relief of persons having no settlement | 164 42 |
| " for coal | 2,260 70 |
| " for groceries | 3,617 70 |
| " salary of Secretary | 500 00 |
| " " of Book-keeper | 375 00 |
| " " of Clerk | 137 50 |
| " " of Visitors | 900 00 |
| " office expenses | 79 95 |
| " transportation | 14 14 |
| " for account of the State and charged | 17 50 |
| Total expenditures | $15,231 21 |
| Cash balance Jan. 31, 1869 | 4,139 89 |

Read and accepted and sent down.

AUDITOR'S MONTHLY EXHIBIT.

The monthly exhibit of the Auditor of Accounts was presented, being an exhibit of the General and Special Appropriations for the present financial year of 1868–69, as shown in the books in his office, February 1, 1869, including the February Draft, being ten months' payment of the financial year, exhibiting the original appropriations, the amount expended, and the balances of each unexpended at that date.

A recapitulation of the exhibit shows the following result:

| | Appropriations, Revenues, &c. | Expended. | Unexpended. |
|---|---|---|---|
| General | $7,127,764 72 | $5,648,991 70 | $1,478,773 02 |
| Special | 4,463,458 88 | 2,725 400 18 | 1,738,058 70 |
| | $11,591,223 60 | $8,374,391 88 | $3,216,831 72 |

Accepted and ordered to be sent down.

EXTENSION OF BROADWAY.

The hearing on the order of notice relative to the extension of Broadway was taken up, when the following remonstrance was presented:

"We have received your order of notice under date of Jan. 25, 1869, relative to the extension of Broadway. Inasmuch as the projected extension would destroy the present most convenient arrangement of our workshops, and seriously damage our business, we respectfully protest against it. Your obedient servants,

South Boston Iron Co.,
By Wm. P. Hunt, Treasurer."

The remonstrance was ordered to be placed on file.

Mr. Thayer appeared in behalf of R. Hoe & Company, manufacturers of printing presses, and objected to the extension of Broadway, on the ground that it would be a great injury to their business by being obliged to remove. They came to Boston and bought out the establishment of Adams & Co., and had expended a considerable sum of money in putting the buildings in order, which,

though not of great value, were very convenient for the business. The damage to that business by cutting through the workshops would be not less than $50,000.

As a further consideration, the removal might necessitate the consolidation of this branch of their business with their main business in New York. At the present time, three-fifths of the manufacture goes out of New England. The company are now employing 125 hands, to whom are paid some $2000 a week, and for the many boys in their employment, they provided an evening school. In conclusion, it was urged that it should be considered for the interest of Boston to keep such a business here.

The report was recommitted to the Committee on Streets.

The hearing on notice of Mark Dowling, of intention to build on West street, that the city proposed to widen said street, was taken up. No person appearing to oppose said widening, the report was recommitted.

The order of notice on petition of Owen Russell, for leave to build a stable for six horses, in the rear of 103 Dedham street, was taken up.

No person appearing in opposition, a report was made by Alderman White, from the Committee on Licenses, in favor of granting said petition. Accepted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Order to pay Michael Holden $3881 for Oliver street damages—$3218 as the award of the Board of Aldermen, and $662 01 as interest.

Order to pay Thomas Austin's heirs $5222 75 for Oliver street (formerly Belmont street) damages—$4281 50 as awarded, $880 56 and the balance, $60 69, received for old buildings.

Order to pay Benjamin Hooley and Aaron W. Russell $11,000 for Federal street damages.

The ordinance to amend an ordinance in relation to taxes, so as to increase the number of assistant assessors from sixteen to nineteen, was read a second time and passed.

COMMON COUNCIL PAPERS.

Petitions from the Common Council were referred in concurrence.

The elections of various officers by the Common Council, in which the Council had non-concurred, or in which action in that branch was first taken, were taken up.

SUPERINTENDENT OF HEALTH.

The election of Geo. W. Forristall, as Superintendent of Health, coming up non-concurred in. the Board proceeded to an election, as follows:

Whole number of votes.....12
Necessary to a choice..... 7
George W. Forristall.....6
Lucius W. Knight..... .5

And there was one ballot for Abner Knight.

The second ballot was as follows:

Whole number of votes.....12
Necessary to a choice..... 7
George W. Forristall ..... 7
Lucius W. Knight..... 5

Mr. Forristall was again declared to be elected, in non-concurrence.

CITY PHYSICIAN.

The election of City Physician was taken up, the Common Council having non-concurred with this Board in electing Dr. Wm. Read.

Alderman Bradlee presented a petition in favor of the election of Dr. Read, as follows:

"The undersigned, physicians of Boston, beg leave respectfully to state, that in their belief the present incumbent of the office of City Physician has performed its duties in a faithful, able and efficient manner, and also that the best interests of the city will be consulted by retaining him in the office he has so well filled."

Signed by George C. Shattuck, Henry J. Bigelow, and some thirty others, physicians and surgeons connected with the Massachusetts General Hospital, the City Hospital, Eye and Ear Infirmary, and City Dispensary.

The petition was ordered to be sent down.

The Board proceeded to the election of a City Physician.

The ballotings resulted as follows:

| | 1st | 2d | 3d |
|---|---|---|---|
| Whole number of votes | 12 | 12 | 12 |
| Necessary to a choice | 7 | 7 | 7 |
| Wm. Read | 6 | 5 | 5 |
| Wm. H. Page | 3 | 5 | 5 |
| Jos. S. Jones | 3 | 2 | 2 |
| | 4th | 5th | 6th |
| Whole number of votes | 12 | 12 | 12 |
| Necessary to a choice | 7 | 7 | 7 |
| Wm. Read | 4 | 4 | 4 |
| Wm. H. Page | 5 | 4 | 4 |
| Jos. S. Jones | 3 | 4 | 4 |

On motion of Alderman Richards the further consideration of the subject was laid on the table.

ENGINEERS OF THE FIRE DEPARTMENT.

The balloting for Chief Engineer of the Fire Department, resulted as follows:

Whole number of votes.....12
Necessary to a choice..... 7
John S. Damrell.....11
Geo. W. Forristall..... 1

The balloting for Assistant Engineers was as follows:

Whole number of votes.....12
Necessary to a choice..... 7
John S. Jacobs.....11
John W. Regan.....11
David Chamberlin.....11
Zenas E. Smith .....12
George Brown..... 11
Joseph Dunbar.....11
William A. Green.....12
Elijah B. Hine.....12
Phineas D. Allen.....12
James Munroe.....12
John Culligan..... 9
Rufus B. Farrar.....12
W. H. Cunningham..... 5
George White..... 3

John S. Damrell, as Chief Engineer, and Messrs. Jacobs, Regan, Chamberlin, Smith, Brown, Dunbar, Green, Hine, Allen, Munroe, Culligan and Farrar, as Assistant Engineers, were declared to be elected, in concurrence.

COCHITUATE WATER BOARD.

The report of Committee to nominate a Water Board was accepted, in concurrence, and the election of a Water Board was taken up.

The result of the election was as follows:

Whole number of votes.....12
Necessary to a choice ..... 7
Alderman—Benjamin James.....12
Common Council—Lyman A. Belknap...10
Francis A. Osborn... 6
Alex. Wadsworth.... 4
Sidney Squires..... 1
At large—Nath'l. J. Bradlee.....12
Chas. H. Allen..... 6
Chas. R. Train..... 6

A second ballot, for the election of one member from the Common Council and one at large, resulted as follows:

Whole number of votes.....12
Necessary to a choice..... 7
Common Council—Francis A. Osborn.... 9
Lyman A. Belknap..... 2
Alexander Wadsworth. 1
At Large—Charles H. Allen..... 6
Charles R. Train..... 5

A third ballot for one member of the Board, at large, resulted as follows:

Whole number of votes.....12
Necessary to a choice..... 7
Charles H. Allen.....7
Charles R. Tram.....5

Alderman James and Messrs. Osborn and Bradlee were declared to be elected in concurrence, and Lyman A. Belknap and Chas. H. Allen in non-concurrence.

The election of Director for Public Institutions, to fill a vacancy, took place, with the following result:

Whole number of votes.....12
Necessary to a choice..... 7
Wm. Seaver..... 8
George P. French..... 4

Mr. Seaver was again elected, in nonconcurrence.

SUPERINTENDENTS OF BRIDGES.

The election of Superintendents of Bridges was taken up by special assignment.

*Superintendent of Meridian Street Bridge.* The whole number of votes was 12, all of which were for Abner Knight

*Superintendent of Federal Street Bridge.* The whole number of votes was 12, all of which were for Jacob Norris.

*Superintendent of Dover Street Bridge.* The election of Superintendent of Dover street bridge was taken up.

Alderman Seaver said he saw no reason why Mr. Brown, the old Superintendent, should not be re-elected, since he had been faithful in the discharge of his duties.

Alderman Hawes said Mr. Brown told him some time since that he should not be a candidate for reelection, as the office did not pay. He had since the nomination was made by the committee declared himself to be a candidate for reëlection, and there was no objection to him.

Alderman Talbot said it was understood that Mr. Brown did not want the office unless the pay was raised. The nomination by the Committee was not unanimous, and it was not agreed to make it so.

The result of the election was as follows:

| | |
|---|---|
| Whole number of votes | 12 |
| Necessary to a choice | 7 |
| Nathan Brown | 9 |
| Joseph Silvera | 1 |
| Richard Cook | 1 |
| Martin Russell | 1 |

*Superintendent of Mount Washington Avenue Bridge.* The whole number of votes was 12, all of which were for George H. Davis.

*Superintendent of Chelsea Street Bridge.* The whole number of votes was 11, all of which were for Edward S. Stowers.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of granting several licenses as auctioneers, victuallers, wagon licenses, and dealers in second-hand articles. Severally accepted.

Alderman White reported also in favor of a license to the Young Men's Christian Union to give a concert at 300 Washington street on the 13th of February; to T. P. Collins, to exhibit a Stereopticon at Chickering Hall; to Wm. P. Sargent for a Velocipede Rink at Boylston Hall, and to exhibit a velocipede at 334 Washington street; to Geo. W. Lindsey for a Velocipede Rink at Revere Hall; to Pearl & Co. for a Velocipede Exhibition at Sumner Hall. Severally accepted.

The same committee reported leave to withdraw on petition of Barzillai T. Folger, for the sale of articles at the corner of Washington street and Temple place, and of Edward Milliar, for the sale of articles in the streets. Accepted.

The same Committee reported in favor of licensing six newsboys, one bootblack, one boy to sell shoe-lacings, and for the renewal of twenty-three licenses, as bootblacks. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Bradlee made a report in relation to the removal of snow from the sidewalks, in which it was stated that by a decision of the Supreme Court, the present ordinance was defective. An ordinance was reported by him to amend an ordinance in relation to streets. Read twice and passed.

Alderman Richards, from the Committee on Paving, submitted the following report:

The Committee on Paving respectfully report to the City Council that an additional appropriation of $25,000 will be required to meet the wants of the Paving Department during the remainder of the financial year.

In October, 1868, a request was made for $100,000; but as this amount could not at that time be granted without resorting to a loan, it was deemed expedient by the City Council to appropriate but $75,000, with the understanding that the balance should be provided before the end of the financial year, when the Auditor of Accounts would be able to make transfers from unexpended appropriations.

The appropriation made at that time is now exhausted, and the sum of $25,000 will be wanted for the following purposes, viz:

| | |
|---|---|
| For pay-rolls of men employed on the streets and ledge at Roxbury | $18,000 |
| For team work, iron and steel for tools, lumber, etc. | 7,000 |
| | $25,000 |

Your committee respectfully recommend that the Committee on Finance be authorized to provide the means to meet the required amount.

BENJAMIN JAMES,
FRANCIS RICHARDS, } Committee.
LEWIS RICE,

Referred to the Committee on Finance.

Alderman Richards, from the Committee on Public Buildings, submitted the following report:

The Committee on Public Buildings would respectfully represent that there will be needed an additional appropriation of ten thousand dollars, to defray the ordinary expenses of the grammar school building department for the remainder of the financial year.

The amount appropriated for this department at the beginning of the year was ninety thousand dollars, which has been expended as follows, viz.:

| | |
|---|---|
| Carpentry | $7,632 17 |
| Masonry | 4,420 11 |
| Whitewashing | 3,378 20 |
| Painting | 7,417 61 |
| Furniture | 8,089 53 |
| Plumbing and gas fitting | 1,190 17 |
| Roofing | 450 42 |
| Iron work | 397 32 |
| Locks and keys | 929 58 |
| Heating apparatus | 9,321 27 |
| Gas and water | 189 08 |
| Rents | 1,334 50 |
| Janitors | 16,521 56 |
| Fuel | 21,481 15 |
| Supplies | 1,363 87 |
| Blackboards | 1,794 52 |
| Incidentals | 2,518 97 |
| Filling and grading | 1,529 75 |
| | $89,989 78 |
| Balance on hand | 10 22 |
| | $90,000 00 |

The amount asked for includes the amounts needed to pay the following bills:

| | |
|---|---|
| Janitors' roll | $4,000 00 |
| Radiators for Lawrence Schoolhouse, ordered by City Council in November, 1868 | 2,000 00 |
| Fuel | 3,000 00 |
| Ordinary repairs and supplies | 1,000 00 |
| | $10,000 00 |

For the Committee,
FRANCIS RICHARDS, Chairman.

Referred to the Committee on Finance.

Alderman Richards, from the same committee, on the petition of David Bloch for a renewal of the lease of the Bridge estate on Court street, reported inexpedient to grant a renewal of said lease. Accepted and sent down.

Alderman Seaver, from the Committee on Bridges, submitted a report, as follows:

The Committee on Bridges beg leave to represent that an additional appropriation of twelve hundred dollars will be required to meet the ordinary expenses of their department during the remainder of the financial year.

There has been expended during the year, including the February draft,

| | |
|---|---|
| For Salaries, Superintendents | $4,436 10 |
| Repairs | 9,002 80 |
| Oil, fuel, and small items | 543 91 |
| Forage, etc., for horse at Federal street Bridge | 294 10 |
| Expenses of Committee and carriage hire | 446 80 |
| | $14,723 71 |
| Balance unexpended | 276 29 |
| Appropriation, 1868-69 | $15,000 00 |

The amount required will be,

| | |
|---|---|
| For salaries, say | $866 67 |
| Repairs | 550 00 |
| Small supplies | 59 62 |
| Total | $1,176 29 |

Deduct balance unexpended..... 276 29

Making the amount asked for.....$1,200 00

Respectfully submitted,

For the Committee,

NATHANIEL SEAVER, Chairman.

Referred to the Committee on Finance.

Alderman Talbot, from the Committee on Streets, reported reference on petition of Association for the Relief of Aged Women relative to obstructions in Revere street, to the Committee on Paving. Accepted.

Alderman Talbot, from the same committee, reported orders in relation to betterments for the widening of Matthews street, dividing betterments assessed on Nathan Matthews and David Snow into three parts. Also on betterment assessed on Charles G. Putnam, or heirs of F. W. P. Greenwood, for the widening of Temple place, an order dividing said betterment into three parts. Severally passed.

Alderman Richards, from the Committee on Paving, reported an order for establishing the grade of Avon place, in accordance with plans and profile of the City Surveyor, made by him Dec. 30, 1868, and on file in his office. Read twice and passed

PAY OF POLICE.

Alderman Seaver, from the Committee on Police, to whom was referred the petitions of the officers and patrolmen of the police force, that their pay may be increased, having carefully considered the subject, beg leave to report that the petitioners have leave to withdraw, for the reason that the present pay of patrolmen in this city is $100 per annum higher than the average pay in other cities in the United States; and also, that there are over 800 applications for appointment now on file in the Mayor's office, including the names of many first class mechanics. Accepted.

ORDERS OF NOTICE.

Alderman Talbot, from the Committee on Streets, reported an order for the laying out of a street forty feet in width, from Harrison avenue to Albany street, parallel with Dover street and 200 feet from said street, and an order of notice thereon, with a hearing to parties interested, Tuesday, Feb 23, at 4 P. M.

Alderman Talbot also reported an order of notice to Wm. Richardson and others, on a proposed widening of Harrison avenue. Hearing Tuesday, Feb. 23, 4 P. M.

Alderman Richards, from the Committee on Sewers, reported an order of notice on the proposed rebuilding of the sewer in Tremont street, between Warrenton street and Common street. Hearing Monday next, 4 P. M.

Alderman Hawes, from the Committee to nominate a Harbor Master, made a report nominating John T. Gardner as a candidate for reëlection to that office. Thomas Dinsmore, of the Committee, dissented, and recommended Martin W. Tewksbury. Read, accepted and sent down.

Alderman White offered an order that a special committee, to be joined, be appointed to nominate candidates to fill vacancies in the Board of Overseers of the Poor. Aldermen White and Fairbanks were appointed.

On motion of Alderman Pratt, the notice to quit to tenants on the line of widening Hanover street, on or before 1st May next, was taken from the table and passed.

A notice was received from the Commissioners on the Salem Turnpike and Chelsea bridge corporations, relative to apportionment of expenses for their support. On this it was

Ordered, That the Joint Special Committee upon Legislative Matters be authorized to appear in behalf of this city before the Commissioners on Salem Turnpike and Chelsea Bridges, on the 6th of March next, and protect the interests of this city in the premises.

ORDERS PASSED.

On motion of Alderman Rice,

Ordered, That His Honor the Mayor be authorised to discharge the mortgage given to the city of Roxbury by John. R. Howard, the 18th of May, 1855, and recorded with Norfolk deeds, lib. 236, fol. 285, the note for which said mortgage was given having been fully paid.

On motion of Alderman Talbot, an order was passed for the widening of West street, by taking a parcel of land belonging to Mary B. Parkman, of Elizabeeh C. Ware, of Freoerick H. Bradlee and of persons unknown, amounting in all to 133 square feet, the expense thereof amounting to $1800.

It was voted to proceed to the election of other officers not yet acted upon, and elections took place as follows:

CITY SURVEYOR.

The whole number of votes was 12, all of which were for Thos. W. Davis.

SUPERINTENDENT OF STREETS.

The whole number of votes was 12, all of which were for Charles Harris.

CITY MESSENGER.

The whole number of votes was 12, eleven of which were for Oliver H. Spurr, and one for George Darrow.

CITY SOLICITOR.

Whole number of votes 12, eleven of which were for John P. Healy and one for A. A. Ranney.

CLERK OF COMMITTEES.

The whole number of votes was twelve, all of which were for James M. Bugbee.

SUPERINTENDENT OF SEWERS.

The whole number of votes was twelve, eleven of which were for Wm. H. Bradley, and one for Henry W. Wilson.

CITY REGISTRAR.

The whole number of votes was 12, all of which were for N. A. Apollonio.

SUPERINTENDENT OF LANDS.

The whole number of votes was 12, all of which were for Robert W. Hall.

WATER REGISTRAR.

The whole number of votes was 12, all of which were for William F. Davis.

CITY PHYSICIAN.

On motion of Alderman Richards the election of City Physician was again taken up, and ballotings took place as follows:

| | 7th ballot. | 8th. |
|---|---|---|
| Whole number of votes | 12 | 12 |
| Necessary to a choice | 7 | 7 |
| Wm. Read | 3 | 3 |
| Wm. H. Page | 3 | 3 |
| Jos. S. Jones | 6 | 6 |

There being no choice, on motion of Alderman Richards the election was again laid on the table.

PORT PHYSICIAN.

The election of Port Physician was taken up, and resulted in the election of Samuel H. Durgin, who received all the votes east.

HARBOR MASTER.

The vote for Harbor Master resulted as follows:

| | |
|---|---|
| Whole number of votes | 12 |
| Necessary for a choice | 7 |
| Michael J. Driscoll | 7 |
| John T. Gardner | 4 |
| M. W. Tewksbury | 1 |

SALARY BILL.

On motion of Alderman Richards, the Salary bill was taken from the table.

On motion of the same Alderman, the salaries of the Assistant City Solicitors were fixed at the same rate, $2500.

On motion of Alderman White, $200 was added to the allowance of the City Treasurer for clerk hire.

On motion of Alderman Richards, the consideration of the Salary bill was assigned to Monday next, 5 o'clock.

The report and order for the extension of Hook and Ladder House No. 4 over Eustis street cemetery, was taken from the files of 1868, and on motion of Alderman Richards was referred to the Committee on Public Buildings.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## FEB. 11, 1869.

The regular weekly meeting of the Common Council was held at 7½ o'clock this evening, Wm. G. Harris, the President, presiding.

PAPERS FROM THE BOARD OF ALDERMEN.

The quarterly reports of the City Clerk and of Overseers of the Poor were ordered to be placed on file.

The Auditor's Exhibit, Feb. 4, 1869, City Doc. No. 20, was ordered to be placed on file.

The several petitions for the purchase of the East Boston Ferry property, for opening the Public Library on Sunday, of Maria O'Malley for compensation for injuries, and of C. R. Classen and others for an alarm bell on the elevator in Chandler street, were referred in concurrence.

The request of the Committee on Bridges for an additional appropriation of $1200, City Doc. 21, 1869;

Request of the Committee on Paving for an additional appropriation of $25,000, City Doc. 22, 1869; and

Request of the Committee on Public Buildings for an additional appropriation of $10,000 for grammar school buildings, City Doc. 18, 1869, were severally referred to the Committee on Finance, in concurrence.

Report, inexpedient, on the petition of David Block for a renewal of his lease of the "Bridge Estate" on Court street was accepted in concurrence.

DIRECTOR FOR PUBLIC INSTITUTIONS.

The certificate of the election of Director for Public Institutions, coming down, for action thereon,

Mr. Gray of Ward Twelve moved to lay the subject of the election on the table. Lost.

Messrs. Flynn of Ward Seven, Hopkins of Ward Ten and Pickering of Ward Fourteen were appointed a committee to receive, sort and count the votes. The committee reported as follows:

Whole number of votes.....56
Necessary to a choice.....29
George P. French.....15
T. Warren Gould..... 3
Wm. Seaver.....31
Henry Warren..... 3
George P. Darrow..... 1

One ballot for Superintendent of Health, George W. Forristall.

Mr. Seaver was declared to be elected, in concurrence.

COCHITUATE WATER BOARD.

Messrs. Butler of Ward Ten, Snow of Ward leven and Pearson of Ward Thirteen, were appointed a committee to receive, sort and count the votes for two members of the Water Board. The committee reported as follows:

Whole number of votes.....54
Necessary to a choice.....28
Common Council—Lyman A. Belknap...23
Alex. Wadsworth ....30
At large—Charles R. Train.....27
Charles H. Allen.....27

The election of Mr. Wadsworth on the part of this branch was adhered to, in non-concurrence, and there was no choice for a member at large.

The second ballot resulted as follows:

Whole number of votes.....58
Necessary to a choice.....30
Charles R. Train.....26
Charles H. Allen.....32

Mr. Allen was declared to be elected in concurrence.

HARBOR MASTER.

The report of the committee to nominate a Harbor Master was accepted, in concurrence.

The election of Harbor Master was taken up.

Mr. Wadsworth of Ward Four presented petitions from pilots, wharfingers, the Superintendent of the East Boston Ferry, and others, in favor of the reëlection of John T. Gardner as Harbor Master, which were read and sent up.

Mr. Dinsmore of Ward Two, as a member of the committee, gave some reasons in favor of the nomination of Martin W. Tewksbury, who was recommended by underwriters and others for the office. He objected to Mr. Gardner, the present Harbor Master, on the ground, as he alleged, of ill-treatment of his wife and adopted daughter, and contended that his reëlection under the charges against him would subject the City Government to a responsibility in countenancing immoralities.

Mr. Denny of Ward Ten said he had heard of the charges circulated against Capt. Gardner, and presumed that there was hardly a single member of the Council who had not heard the merits of this family quarrel talked over. As far as he could understand, the foundation of this difficulty was spiritualism, and that Mr. Gardner had separated from his wife. He did not believe it to be worth while for the Council to be going into family difficulties.

Mr. Denny did not know how many members of this board lived with their own wives, or how many of them might have several. So far as related to the treatment of his adopted daughter, he had made an investigation and was satisfied that if it was not entirely erroneous, it had little foundation in fact, and he supposed the matter of treatment of his wife had been overstated. He did not care about going into his views of spiritualism, and did not think gentlemen of the Council were desirous of doing so. If they were not prepared to vote at this time, he hoped the election would be laid on the table.

Mr. Dinsmore said he had a letter from a gentleman in Marblehead, who had known Mr. Gardner for many years, and knowing that he had interested himself in this matter, the letter was addressed to him. This gentleman was a relative, by marriage of Mr. Gardner, and his statements were from personal knowledge.

A portion of the letter was read, when Mr. Gray of Ward 12, raised the objection that the letter was private, and there was an impropriety of having it read.

The reading of the letter was suspended.

Mr. Jenks of Ward Three, moved that the election be postponed one week. Lost, 13 to 14.

Mr. Pickering of Ward Fourteen inquired if the underwriters who were in favor of Mr. Tewksbury made any objections to the qualifications of Mr. Gardner.

Mr. Dinsmore replied that they did not.

Mr. Pickering hoped the election would proceed, so long as Mrs. Gardner was not a candidate.

Messrs. Flynn of Ward Seven, Emerson of Ward Six and Squires of Ward Eight were appointed a committee to receive and count the votes. The committee reported as follows:

Whole number of votes.....59
Necessary to a choice.....30
John T. Gardner.....28
Martin W. Tewksbury..... 9
Michael J. Driscoll.....19
Wm. C. Fowler..... 3

A second ballot resulted as follows:

Whole number of votes.....59
Necessary to a choice.....30
John T. Gardner.....33
Michael J. Driscoll.....18
Martin W. Tewksbury..... 4
Wm. C. Fowler..... 3
Mrs. Gardner..... 1

Mr. Gardner was declared elected, in non-concurrence.

SUPERINTENDENT OF HEALTH.

Messrs. Wilkins of Ward Nine, Jacobs of Ward Five and Talbot of Ward Four were appointed to receive and count the votes, and reported as follows:

Whole number of votes.....58
Necessary to a choice.....30
Geo. W. Forristall.....33
Lucius W. Knight.....21
George Darrow..... 1
E. Malone..... 1
Abner Knight..... 1
Wm. F. Davis..... 1

Mr. Forristall was declared to be elected in concurrence.

The order appointing a joint committee to nominate candidates to fill vacancies in the Board of Overseers of the Poor was adopted in concurrence, and Messrs. Nelson of Ward Nine, Emerson of Ward Six and Rich of Ward Fourteen were joined to the committee.

The order authorizing the Committee on Lesislative Matters to appear for the City, before the Comsioners on the Salem Turnpike and Chelsea Bridges was adopted, in concurrence.

An ordinance to amend an ordinance in relation to streets was considered.

Mr. Keith of Ward Fifteen said the provisions of the ordinance, generally, in relation to the removal of snow and ice, met with his approval, but some of the provisions were very stringent and illy adapted to sparsely-settled portions of the city, such as Roxbury, South Boston, and East Boston. There were instances where it would be difficult for owners of property, having a very large frontage on the street, to clear the walks within the time allowed by the ordinance.

Mr. Osborn of Ward Six, of the Committee on Ordinances, said the provisions referred to were no more stringent than in the present ordinance. The ordinance was drawn by the City Solicitor, to meet a difficulty under a decision in the courts, so that where there are several tenants in a building the owner will be held responsible for the removal of the snow and ice. In regard to the cases mentioned by the gentleman from Ward Fifteen, those who have the charge of the execution of the law will use discretion, as they do now, in enforcing it.

Mr. Ingalls of Ward Twelve was of the opinion that in one way the ordinance was more stringent. It relieved tenants, but imposed greater responsibility upon landlords. There might be great difficulty to get snow and ice removed in season, where a man owned a hundred buildings, and failed to find men enough to do the work at the time.

Mr. Osborn replied that no owner of propety would allow such difficulty to occur, for he would make arrangements with some one of his tenants to see that the walks were cleared.

Mr. Ingalls objected further to the stringency of the ordinance; that under present leases the tenants could not be required by the landlord to remove the snow and ice, and until the expiration of these leases the landlord would be subject to great inconvenience and some expense in procuring men to do the work.

Mr. Rich of Ward Fourteen said that nothing short of a measure of this character would meet the evil, since where there was a disposition on the part of one tenant to do the work, others would shirk it.

Mr. Wadsworth of Ward Four remarked that it was a less evil for the owners of property to see that their walks were cleared of snow and ice than to compel the public to pass over such places all day.

A motion to suspend the rules for a second reading of the ordinance was lost, when, on motion of Mr. Gray of Ward Twelve it was ordered to be printed.

CITY SURVEYOR.

Messrs. Braman of Ward Six, Noyes of Ward Five, and Going of Ward Three, a committee on votes for City Surveyor, reported as follows:

Whole number of votes.....50
Necessary to a choice.....26
Thomas W. Davis.....49
George P. Darrah.....1

CLERK OF COMMITTEES.

Messrs. Wilkins of Ward Nine, Wells of Ward Three and Woods of Ward Twelve, a committee on votes for Clerk of Committees, reported as follows: Whole number of votes 50, all of which were for James M. Bugbee.

SUPERINTENDENT OF SEWERS.

Messrs. Braman of Ward Six, Frost of Ward Nine and Dinsmore of Ward Two, a Committee on Votes for Superintendent of Sewers, reported:

Whole number of votes.....48
Necessary to a choice.....25
Wm. H. Bradley.....38
Geo. P. Darrow.....5
Horace Jenkins, Henry W. Wilson and John C. Tucker one each.....3
Job T. Souther.....2

CITY MESSENGER.

Messrs. Pickering of Ward Fourteen, Lucas of Ward Seven and Keaney of Ward Two, a Committee on Votes for City Messenger, reported the whole number of votes to be 56, 53 of which were for Oliver H. Spurr, and one each for three others.

SUPERINTENDENT OF STREETS.

Messrs. Jacobs of Ward Five, Davis of Ward Thirteen and Woolley of Ward One, a committee on votes for Superintendent of Streets, reported the whole number of votes to be 42, 37 of which were for Charles Harris and one each for five other persons.

CITY REGISTRAR.

Messrs. Squires of Ward Eight, Wilkins of Ward Nine and Judson of Ward Fourteen, a committee on votes for City Registrar, reported the whole number of votes to be 45, 38 of which were for N. A. Apollonio, 3 for George P. Darrow, 2 for Wm. F. Davis and two others 1 each.

SUPERINTENDENT OF PUBLIC LANDS.

Messrs. Learnard of Ward Eleven, Squires of Ward Eight and Crowley of Ward Seven, Committee on Votes for Superintendent of Public Lands, reported the whole number of votes to be 39, 35 of which were for Robert W. Hall, and one each for four other persons.

CITY SOLICITOR.

Messrs. Poor of Ward Eleven, Hall of Ward One and Bond of Ward Eight, a commmittee on votes for City Solicitor, reported the whole number of votes to be 45, 27 of which were for John P. Healy, 6 for A. A. Ranney, 4 for George P. Darrow, 2 for M. E. Ingalls, and six persons one each.

WATER REGISTRAR.

Messrs. Hopkins of Ward Ten, Tucker of Ward Six, and Conant of Ward Fifteen, a committee on votes for Water Registrar, reported the whole number of votes to be 41, of which there were 35 for Wm. F. Davis and one each for six other persons.

PORT PHYSICIAN.

Messrs. Wadsworth of Ward Four, Osborn of Ward Six and Pickering of Ward Fourteen, a committee on votes for Port Physician, reported the whole number of votes to be 38, of which there were 29 for Samuel H. Durgin, 6 for T. L. Jenks, and 1 each for three others.

SUPERINTENDENT OF FEDERAL STREET BRIDGE.

Messrs. Young of Ward One, Braman of Ward Six and Vannevar of Ward Eight, a Commitee on Votes for Superintendent of Federal Street Bridge, reported the whole number of votes to be 43, of which there were for Jacob Norris 35, B. F. Butler 3, Geo. P. Darrow and Chas. J. Grabb 2 each, and J. J. Gallavan 1.

SUPERINTENDENT OF MERIDIAN STREET BRIDGE.

Messrs. Gray of Ward Twelve, Malone of Ward Two and Pote of Ward One, a Committee on Votes for Superintendent of Meridian Street Bridge, reported the whole number of votes to be 37, of which there were for Abner Knight 32, and five for other persons.

SUPERINTENDENT OF CHELSEA STREET BRIDGE.

Messrs. Snow of Ward Eleven, Denny of Ward Ten and Lucas of Ward Seven, a Committee on Votes for Superintendent of Chelsea Street Bridge, reported the whole number of votes to be 39, of which there were for Edward T. Stowers 29, and 10 for eight others.

SUPERINTENDENT OF DOVER STREET BRIDGE.

Mr. Flynn of Ward Seven stated that charges had been made against Mr. Brown, the old Superintendent of this bridge, that he had been negligent of his duties, let the house intended for his use to others, and should the election be laid on the table, he should move a committee of investigation into such charges.

A motion to lay on the table was lost, and the Council proceeded to a ballot, on motion of Mr. Squires of Ward Eight.

Messrs. Nelson of Ward Nine, Doherty of Ward Two, and Mullane of Ward Thirteen—a committee on votes for Superintendent of Dover Street Bridge—reported the whole number of votes to be 42, of which there were for Angus Nelson 33, Jos. Silvera 6, Nathan Brown 2, and Richard Cook 1.

SUPERINTENDENT OF MOUNT WASHINGTON AVENUE BRIDGE.

Messrs. Jenks of Ward Three, Kingsbury of Ward Fifteen and Johnston of Ward Twelve, a committee on votes for Superintendent of Mount Washington Avenue Bridge, reported the whole number of votes to be 39, of which there were for George H. Davis 34, and 5 for four other persons.

Order to take from the files the order concerning the extension of Hook and Ladder House No. 4, over Eustis street Cemetery, and refer it to the Committee on Public Buildings, was concurred in.

An ordinance to amend an ordinance concerning the assessment and collection of taxes, was referred to the Committee on Ordinances.

UNFINISHED BUSINESS.

The order authorizing the Committee on Fire Alarms to expend not over $500 in each case, for attaching striking apparatus to any of the bells of this city, was read a second time and passed.

The order authorizing the erection of a brick building in the rear of, and connected with, the Hook and Ladder House on Eustis street, was laid on the table.

REPORTS OF COMMITTEES.

Mr. Wadsworth of Ward Four, from the Joint Special Committee on the Church Street District, to whom was referred the order establishing the salaries of the Commissioners on the Church Street District, from and after 1st October, 1868, at the rate of $2500 per annum, made a report recommending the passage of the order with an amendment to strike out "October, 1868," and insert in place thereof "January, 1869."

Mr. Osborn of Ward Six made some inquiries relative to the proposed amendment, and to obtain further information, moved that the order be laid on the table. Carried.

The Joint Standing Committee on Public Instruction, to whom was referred, as a part of the unfinished business of last year, the request of the School Committee that the City Council would purchase a lot of land on which to erect a Primary schoolhouse in the Rice district, reported that in their opinion it would be expedient to purchase the lot on Appleton street, adjoining the new Rice Schoolhouse.

The lot has an area of about 22,325 square feet and can be purchased on or before the 1st of March for $1 27½ per foot, amounting to $28,464 37. The Committee therefore recommend the passage of the following orders:

Ordered, That the Committee on Public Buildings be authorized to purchase the lot of land on Appleton street, adjoining the new Rice Schoolhouse, containing twenty-two thousand three hundred and twenty-five feet, more or less, for a sum not exceeding twenty-eight thousand four hundred and sixty-five dollars; and procure plans and estimates for the erection thereon of a Primary school building, said plans to be approved by the Committee on Public Instruction.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of twenty-nine thousand dollars, to be applied to the purchase of land for a primary school building in the Rice district.

The report was accepted, and the orders were read once.

The Joint Standing Committee on Public Instruction, to whom was referred the request of the School Committee that the City Council should furnish a hall for the purposes of an exhibition by the deaf mutes from Hartford, Ct., and Northampton, Mass., made a report recommending the passage of the accompanying order, which was read and ordered to a second reading:

Ordered, That the Committee on Public Instruction be authorized to hire a suitable hall for exhibitions, before the City Council, School Committee and others, by the deaf mutes from Hartford, Ct., and Northampton, Mass., the expense not exceeding seventy-five dollars, to be charged to the appropriation for incidental expenses.

The same committee, to whom were referred the reports and papers in relation to the purchase of land adjoining the Lincoln Schoolhouse, having considered the subject, reported that in their opinion it would be inexpedient to purchase any additional land. Accepted.

PETITIONS PRESENTED AND REFERRED.

Sidney F. Whitehouse and 63 others, Conants & Sanborn, S. W. Merriam & Co. and 55 others, Geo. Sherman, W. H. Cudworth and 55 others, Geo. W. Buckley and 31 others, Frederick Pease and 50 others, H. H. Wetherell, Charles Siders and 34 others, severally in aid of petitions for the purchase of the East Boston Ferry property by the city. Referred to Committee on Ferries.

Jarvis Williams, for extension of time for erection and completion of buildings on land purchased of the city. Referred to the Committee on Public Lands.

Trustees of Roxbury Latin School. Referred to Committee on Public Institutions.

ORDERS ADOPTED.

On motion of Mr. Rich of Ward Fourteen, the Committee on Ordinances were directed to consider what measures may be necessary to secure the removal of snow and ice from sidewalks which abut on unoccupied lands, of which there are no owners known to be living in this Commonwealth.

On motion of Mr. Snow of Ward Eleven, the Committee on Public Instruction were requested to ascertain what accommodations are furnished in the Grammar and Primary schoolhouses, whether the rooms are overcrowded in some districts, while they are not full in others, and to make such suggestions as they may deem expedient.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## FEB. 15, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

APPOINTMENT CONFIRMED.

Arthur Dakin, police officer, without pay, at the Boylston Market.

PETITIONS PRESENTED AND REFERRED.

Franklin Haven and others, and Adams Express Company and others, severally, for the extension of Washington street to Portland street.

Josiah Quincy and 86 others for the extension of Devonshire street to Dock square and Brattle street, and for extension of Washington street to the same point, and from thence the two united be extended in a direct line to Haymarket square.

Freeman, Snow & Co. and others, that Shaving street be laid out as a public highway.

M. T. Durrell and others, for revision of High street betterments.

Wm. Scaver and others, for extension of Vernon street over unocupied space between Cabot and Factory streets.

Jewett & Pitcher, that Knox street be laid ont as a public way, and the street be graded.

Severally referred to the Committee on Streets.

Geo. P. Darrow and others, against licensing H. Lefevre as an innholder at No. 11 Warrenton street. Referred to Committee on Licenses.

M. Colby, for abatement of assessment for a sewer in Eustis street.

Joshua R. Bigelow and others, to be paid for land taken for Stony Brook sewer.

Henry Davenport and others, for a sewer in Hawthorn street. Severally referred to the Committee on Sewers.

Jeremiah McCarthy, to be compensated for injuries sustained by his son, from a fall in Thatcher street. Referred to Committee on Claims.

COMMUNICATIONS FROM THE SCHOOL COMMITTEE.

A request was received from the School Committee for a primary schoolhouse in the Church street portion of the Brimmer district. Referred to the Committee on Public Instruction.

A request was also received from the School Committee for ferry tickets to be provided for High School pupils resident at East Boston. Referred to joint standing Committee on Ferries.

An order was also received from the School Committee, requesting a restoration of gas to the room of the usher in the Brimmer School building, also for the introduction of gas into the lower rooms of the Mayhew Schoolhouse. Referred to the Committee on Public Buildings.

Severally sent down for concurrence.

NOTICES OF INTENTION TO BUILD.

Chas. Edward Parker, Nos. 44, 46 and 48 School street; Hennesy & Lowe, Nos. 22, 24 and 26 Way street; Joseph Streck, 50 Cabot street; F. H. Moore, 2 Lincoln street; Williams & Co., corner of Broadway and H streets; F. J. Doe, corner of Pleasant and Kirkland streets; Thomas Marshall, corner of Harrison avenue and Rollins street; Owen Russell, rear of 103 Dedham street; L. M. Innes, Telegraph, near Gates street; Timothy Connelly, Village street, between Chapman and Dover streets; S. M. Allen, Washington street; W. A. & J. F. Bennett, Liverpool street, between Decatur and Meridian streets; J. Lynch, Fifth street, between D and E streets. Severally referred to the Committee on Streets.

HEARING ON ORDER OF NOTICE.

The hearing on order of notice on the proposed rebuilding of the sewer in Tremont street, between Common street and Warrenton street, was taken up by assignment.

No person appearing in relation to the matter, the report was recommitted to the Committee on Sewers.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That the collection of the assessment levied upon John A. Vinton, for a sewer in Broadway, be postponed until entry is made into the sewer from his estate.

Ordered, That the order passed Dec. 7, 1868, apportioning the betterments assessed upon Frederick Smith's estate in Bowker street into three parts, be rescinded, he having elected to pay the whole betterment in one sum.

COMMON COUNCIL PAPERS.

The several petitions for the purchase of the East Boston Ferry property by the City, of the Trustees of the Roxbury Latin School, and of Jarvis Williams, were referred, in concurrence.

The report inexpedient to purchase land next to Lincoln Schoolhouse, was accepted, in concurrence.

The following ordinance and orders were acted upon in concurrence:

Ordinance relating to increase of assessors, referred to Committee on Ordinances.

Order for Committee on Ordinances to report on removal of ice and snow from sidewalks abutting on unoccupied lands.

Order for Committee on Public Instruction to report on Grammar and Primary School accommodations.

COCHITUATE WATER BOARD.

The election of one member of the Cochituate Water Board, coming up, the Board proceeded to a ballot, with the following result:

Whole number of votes.....11
Necessary to a choice..... 6
Common Council—Alexander Wadsworth 6
Lyman A. Belknap..... 5

Mr. Wadsworth was declared to be elected, in concurrence, the Board having receded from its former vote in electing Mr. Belknap.

ELECTION OF HARBOR MASTER.

The election of Harbor Master was taken up, and a ballot resulted as follows:

Whole number of votes.....12
Necessary to a choice..... .. 7
John T. Gardner.....7
Michael J. Driscoll,.....5

Mr. Gardner was declared to be reëlected, in concurrence, the Board having receded from its former vote in the choice of Mr. Driscoll.

ELECTION OF SUPERINTENDENT OF DOVER STREET BRIDGE.

The election of Superintendent of Dover Street Bridge was taken up, and a ballot resulted as follows:

Whole number of votes..... .. ....11
Necessary to a choice..... 6
Nathan Brown..... .... 7
Angus Nelson..... 3
Richard Cook.... ..... 1

Mr. Brown was declared to be elected, in nonconcurrence.

FREIGHT RAILROAD LOCATION.

A notice was received from the Albany Street Railroad Company, accepting the location granted by the Board, in an order adopted February 1, City Document No. 16. Ordered to be placed on file.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses to specified persons, as victuallers, and the transfer of a wagon license. Severally accepted.

Alderman White, from the same committee, reported in favor of licenses to Edward Riddle, for a velocipede rink at 126 Union street; of John C. Murphy, for a velocipede rink at 1020 Washington street; Lyman G. Miller, for a velocipede rink at the corner of C street and Broadway; W. H. P. Brownell, to exhibit velocipedes at Lyceum Hall; Daniel V. Kern, to exhibit velocipedes at 240 Washington street, and at 142½ Tremont street; Warren Street Chapel Association, for a Musical Festival at Faneuil Hall, Feb. 22; Miss Greenfield, for a concert at Tremont Temple, Feb. 23. Severally accepted.

Alderman White also reported in favor of licenses to six newsboys and one bootblack. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman White, from the Committee on Health, reported an order for the abatement of nuisances on the premises of certain parties in Willard street. Passed.

Alderman Bradlee, from the Committee on Cemeteries, made a report, with a request for an additional appropriation of $1000, to meet the ordinary expenses of that department during the remainder of the financial year.

The deficit is caused by expenditures for the following purposes, not contemplated at the beginning of the year;

| | |
|---|---|
| Paving sidewalk of Eustis street Cemetery, and building fence | $339 00 |
| Settees for Copp's Hill Burial Ground | 96 00 |
| Increase of amount paid for collection of births | 350 00 |
| Increase of Registrar's salary | 300 00 |
| Total | $1085 00 |

The expenses for the remainder of the year are estimated as follows: For collecting births and indexing the same, $1842 75; sundry other expenses, $1481 10; making a total of $3323 85—to meet which there was an unexpended balance of $2323 85. Referred to the Committee on Finance.

Alderman Talbot, from the Committee on Streets, reported that an additional appropriation of Seventy-two Thousand Dollars will be required for the settlement of damages, and for completing the grading, paving and sidewalks on Oliver street.

Two loans amounting to $250,000 have been made for this purpose as follows:

| | | |
|---|---|---|
| 1st loan made Sept. 29, 1866 | | $100,000 00 |
| 2d loan made Sept. 30, 1867 | | 150,000 00 |
| Total amount of loans | | $250,000 00 |
| Revenue derived from sale of old buildings, sale of earth, etc | | 39,198 38 |
| Making a total of | | $289,198 38 |
| There has been expended on account of this street: | | |
| For land and building damages | $159,562 21 | |
| For grading, paving, sewers, etc | 125,867 36 | |
| Making a total of | | $285,429 57 |
| Leaving a balance on hand of | | $3,768 81 |
| The unsettled claims for damages on this street are estimated at | | $50,000 00 |
| Estimated cost of completing grading, paving and sidewalks | | 25,000 00 |
| Total | | $75,000 00 |
| Deduct balance on hand | | 3,768 81 |
| Leaving a balance required of | | $71,231 19 |

This improvement is being made by the City, by authority of a special act of the Legislature of 1865; and the whole net expense (except paving, building sidewalks and a sewer) is to be assessed upon the abutting estates on said street.

The Committee, therefore, unanimously recommend the passage of the accompanying order, which was read twice and passed:

Ordered, That the Treasurer be, and he hereby is, authorized to borrow, under the direction of the Committee on Finance, the sum of seventy-two thousand dollars, and that the same be added to the appropriation heretofore authorized, called the Oliver Street Temporary Loan.

ELECTION OF ASSESSORS.

Alderman Van Nostrand, from the Committee to nominate candidates for Principal Assessors, made a report, nominating a ticket, as follows:

Thomas Hills, Horace Smith, Benjamin Cushing, George A. Simmons, and Daniel H. Whitney.

The election of Assessors was taken up.

Alderman James inquired the reason why the name of Thomas J. Bancroft had been left off the list of the Committee, who had proved acceptable as an Assessor.

Alderman Van Nostrand of the Committee replied that he knew of no good reason why Mr. Bancroft's name had been left off the list.

An election of Assessors resulted as follows:

| | |
|---|---|
| Whole number of votes | 12 |
| Necessary for a choice | 7 |
| Thomas Hills | 12 |
| Benjamin Cushing | 10 |
| Horace Smith | 8 |
| George A. Simmons | 11 |
| Thomas J. Bancroft | 10 |
| Daniel H. Whitney | 6 |
| George E. Richardson | 3 |

Messrs. Hills, Cushing, Smith, Simmons and Bancroft were declared to be elected on the part of this Board.

The Committee on Finance, to whom was referred the reports of the Committees on Paving, Public Buildings and Bridges, severally asking for additional appropriations, made a report recommending the passage of the following order:

Ordered, That the Auditor of Accounts be authorized to make the following transfer of appropriations:

From Soldiers' and Sailors' Monument, Boston Common, $10,000; and from Police, $15,000, to that of Paving, &c.

From Primary School Instructors to that for Grammar Schools, Public Buildings, $10,000.

From the Reserved Fund to Bridges, $12,000.

Read twice and passed.

Alderman Pratt, from the Committee on Lamps, reported leave to withdraw on petition of John Towne & Son for a lamp to be placed and lighted in North Grove street. Accepted.

Alderman White, from the Committee on Health, made a report, accompanied by the following order:

Ordered, That the City Treasurer be and he is hereby authorized to abate such portions of assessment as follows upon the within named parties from the original amount assessed by Health Department: Fergus Brennan, $24 80; James Cain, $55 62; Michael Shine, $36 59; Michael Cunningham, $30 05; Patrick Turner, $27 69; total, $174 75.

Read twice and passed.

Alderman James, from the Committee on Paving, reported the following order, which was passed.

Ordered, That the City Surveyor be directed to furnish the grade of Newman street to N. F. Berry and John Mullay, they being about to build on said street.

On motion of Alderman James,

Ordered, That the Committee on Paving be and they are hereby directed to report to the Board the changes which they may consider expedient to be made in the names of the streets, courts or places in the city, where two or more of said streets, courts or places are called by the same name.

ORDERS PASSED.

On motion of Alderman White,

Ordered, That the Committee on Licenses be requested to prepare for the consideration of the Board of Aldermen a schedule of fares in hacks and hackney carriages within the city of Boston.

Alderman Seaver offered the following:

Whereas, in the opinion of this Board, the building at the corner of Canal and Causeway streets, commonly called the Eastern Exchange, is so dilapidated and dangerous to the public as to be a nuisannce, it is therefore

Ordered, That the Chief of Police cause so much of said building to be taken down, at the expense of the owner thereof, as may be necessary to preserve the public from any danger therefrom. Passed.

CELEBRATION OF WASHINGTON'S BIRTH-DAY.

On motion of Alderman Fairbanks,

Ordered, That his Honor the Mayor cause the bells of this city to be rung, and a national salute to be fired on Boston Common, at East Boston, South Boston and the Highlands, at noon, on Monday next, 22d inst., and that the several offices and buildings connected with the City Government be closed on that day, in commemoration of the birthday of George Washington.

On motion of Alderman Pratt,

Ordered, That the Superintendent, under the direction of the Committee on Lamps, be and he is hereby authorized to purchase two hundred and fifty gas lanterns, at a cost not exceeding $1975, the same to be charged to the appropriation for Lamps.

Ordered, That the Superintendent, under the

direction of the Committee on Lamps, be and he is hereby authorized to purchase one hundred iron posts, at a cost not exceeding $1500, the same to be charged to the appropriation for lamps.

Ordered, That the Superintendent, under the direction of the Committee on Lamps, be and he is hereby authorized to purchase two hundred and fifty fluid lanterns, at a cost not exceeding $725, the same to be charged to the appropriation for lamps.

On motion of Alderman Pratt,

Ordered, That on the removal of the office of the City Physician to the room assigned in the new Charity Building, the room in the City Hall now occupied by the City Physician be and the same is hereby assigned for the use of the Lamp Department.

On motion of Alderman Talbot, it was ordered that a notice to quit be served on Wm. L. Burt, the custodian of the Post-Office site, and to tenants on property to be taken for the widening of Milk street, under order of April 11, 1868, namely, F. K. Doggett, Dexter Chase and Wm. H. Hopkins to vacate said premises by the 1st of April next.

Aldermen James, White and Baldwin were appointed a Committee to nominate candidates for fence viewers, field drivers, pound keepers, and cullers of hoops and staves.

ELECTION OF CITY PHYSICIAN.

The election of City Physician was taken from the table, and a ballot took place with the following result:

Whole number of votes.....12
Necessary to a choice..... 7
Wm. Read..... 7
Wm. H. Page.....3
Joseph S. Jones.....2

Dr. Read was declared to be elected, in concurrence.

SALARY BILL.

The Salary bill was taken up, by special assignment, and considered.

The several orders were read by their titles.

Alderman Talbot moved to increase the salary of the Superintendent of Sewers to $3000.

In support of the motion, he said that the salary should be the same as that of the Superintendent of Streets, as much ability if not as much labor being required, and the Superintendent being an efficient officer.

Alderman Pratt suggested that for nearly six months in the year the work of this department was not actively engaged in.

The amendment was adopted.

The last order of the Salary bill having been reached,

Alderman Talbot said he had designed to propose an amendment to the pay of Assessors. The dooming department of the Board was a cause of delay in the work of the Assessors, and he proposed to establish a fixed salary in the labor of dooming, and a per diem for the labor in the streets. He did not suppose action would be taken on this subject today, and had not prepared such an amendment as he wished to offer.

On motion of Alderman Talbot, the Salary Bill was again laid on the table.

Alderman Bradlee offered an ordinance in addition to an ordinance relating to the Overseers of the Poor, which was referred to the Committee on Ordinances, and sent down for concurrence. The ordinance provides that the Overseers shall have charge of the Charity Building and Temporary Home on Chardon street, and have power to make and enforce all such proper rules and regulations as they shall deem expedient in relation thereto; also to determine what societies shall be permitted to occupy the building, the terms and length of time, proportion of current expenses of managing, heating and lighting the same, such occupants to be removed at the pleasure of the owners.

Adjourned to Tuesday, the 23d inst., at 4 o'clock P. M.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## FEB. 18, 1869.

The regular weekly meeting of the Common Council was held at 7½ o'clock this evening, Wm. G. Harris, the President, presiding.

PAPERS FROM THE BOARD OF ALDERMEN.

The petition of Jeremiah McCarthy, to be compensated for injuries sustained by his son by a fall in Thatcher street, was referred in concurrence.

The several requests of the School Committee for a Primary Schoolhouse to be used in the Brimmer District; for gas to be used in the room of the Usher in the Brimmer School, and in the lower rooms of the Mayhew Schoolhouse; and for ferry tickets for High School pupils resident at East Boston, were referred in concurrence.

The request of the Committee on Cemeteries for an additional appropriation of one thousand dollars for their department during the remainder of the financial year (printed City Document, No. 25, 1869,) was referred to Committee on Finance, in concurrence.

SUPERINTENDENT OF DOVER STREET BRIDGE.

The certificate of election of Nathan Brown by the Board of Aldermen was received.

Mr. Vannevar of Ward Eight presented a petition from Wm. H. Howard and others, in favor of the retention of Nathan Brown as Superintendent of Dover Street Bridge. Ordered to be placed on file.

Messrs. Batchelder of Ward Four, Jenks of Ward Three and Kingsbury of Ward Fifteen were appointed a committee to receive, sort and count the votes. The committee reported as follows:

| | |
|---|---|
| Whole number of votes | 47 |
| Necessary to a choice | 24 |
| Nathan Brown | 5 |
| Angus Nelson | 37 |
| Joseph Silvera | 2 |
| G. T. W. Braman | 1 |
| Richard Cook | 1 |
| Martin Russell | 1 |

Mr Nelson was declared to be elected again on the part of the Common Council in non-concurrence.

The following orders were passed in concurrence:

Order directing salutes to be fired, and the building and offices connected with the City Government to be closed on the 22d inst., in commemoration of the birthday of George Washington.

Order assigning a room in the City Hall for the use of the Lamp Department.

The ordinance in addition to an ordinance relating to the Overseers of the Poor was referred to the Committee on Ordinances in concurrence.

The following orders were each read once:

Order to transfer from "Soldiers' and Sailors' Monument," $10,000; and from "Police" $15,000, to the Appropriation for Paving, etc.; from "Primary School Instructors," $10,000, to the Appropriation for Grammar Schools and from the "Reserved Fund" $1200, to the Appropriation for Bridges.

Order authorizing the Treasurer to borrow $72,000, to be added to the appropriation called the Oliver Street Temporary Loan. (Printed City Document No. 23, 1869.)

ELECTION OF ASSESSORS.

The report of the Committee nominating Assessors was accepted in concurrence, and a motion was made to proceed to an election.

Mr. Judson of Ward Fourteen said he desired to say a word in favor of a gentleman presented from the Highland District—a gentleman who had served efficiently for five years as a member of the Board of Assessors in Roxbury. In behalf of that candidate he presented a petition, which he wished to have read and placed on file. The petition was presented, signed by A. D. Williams and 174 others, in behalf of Wm. H. McIntosh.

Mr. Keith of Ward Fifteen objected to the reading of the petition at length, as it had been placed in print in the hands of each member of the Council, and the Council voted not to have it read.

Mr. Judson, in answer to an inquiry whether any objection could be made to Mr. Simmons, stated that he knew of none.

Mr. Batchelder of Ward Four wished to know the reason why the committee left the name of Mr. Bancroft from the list of candidates nominated by them. Mr. Bancroft had proved to be an efficient officer, and some reason should be given for the omission.

Mr. Wilkins of Ward Nine spoke in favor of the claims of Mr. Bancroft, with whom he had served as an Assessor last year, and whom he knew to be an efficient accountant and an efficient assessor. On an inquiry, he was informed by a member of the committee that there was no particular reason for not renominating him, but that it was one of those things which sometimes occur.

Mr. Snow of Ward Eleven made a similar inquiry of the committee relative to the omission of Mr. Bancroft's name.

Mr. Hopkins of Ward Ten said it would be seen that the report of the committee was not unanimous in substituting Mr. Whitney for Mr. Bancroft, and there was no satisfactory reason for the change.

The Council proceeded to an election.

Messrs. Emerson of Ward Six, Squires of Ward Eight, and Hopkins of Ward Ten, were appointed a Committee to receive, sort and count the votes. The committee reported as follows:

| | |
|---|---|
| Whole number of votes | 50 |
| Necessary to a choice | 26 |
| Thomas Hills | 35 |
| Horace Smith | 37 |
| Benjamin Cushing | 41 |
| Thomas J. Bancroft | 43 |
| George A. Simmons | 39 |
| George E. Richardson | 12 |
| Wm. H. McIntosh | 11 |
| Daniel H. Whitney | 8 |

Messrs. Hills, Smith, Cushing, Bancroft and Simmons were declared to be elected in concurrence.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order authorizing a hall to be hired for exhibitions before the City Council, School Committee, and others, by deaf mutes from Hartford, Conn., and Northampton, Mass.

Orders authorizing land to be purchased on Appleton street, adjoining the Rice Schoolhouse, for a Primary School building, and for a loan of $29,000 to be applied therefor.

An ordinance to amend an ordinance in relation to Streets, (printed City Document. No. 24, 1869,) was taken up.

Mr. Keith of Ward Fifteen said that in answer to an objection made by him at the last meeting, it was urged that leniency would be exercised in cases where there would be hardships arising under this ordinance. An ordinance, however, should be so framed as to be free from the objection suggested by him on this ground. It would be well, he thought, so to provide that in portions of the city where it was sparsely settled, a greater length of time should be given for clearing the walks rom snow. It would be no new thing to discriminate between the city proper and the outlying districts of the metropolis. This had been done in Philadelphia, which, with its large area and differences in population, had to be treated differently, in proportion to the density of its population.

There are portions of the Highlands where the injustice of an ordinance not framed to meet the fact of a sparse population, would operate as unjustly as in Philadelphia. He hoped, therefore, that the ordinance would be laid on the table to allow time for its proper consideration, and to prepare amendments which will remove the objection which he had suggested. He had not had time for the purpose, as yet, and meantime, as the present ordinance is in force, no harm will result from delay.

Mr. Jenks of Ward Three moved to insert the words "or persons" after "person" in the fifth line of the 51st section, and in the same section, sixth line, insert "part of" after "any."

Mr. Osborn of Ward Six objected to the amend-

ments, as calculated to render the ordinance inoperative.

Mr. Jenks said his amendments were designed to meet cases where a tenement is partly occupied, so that the owner would not be responsible for the removal of the snow under such circumstances.

Remarks were made in opposition by Messrs. Osborn of Ward Six and Ingalls of Ward Twelve, and the former suggested a further amendment, which would be necessary if those proposed by Mr. Jenks were adopted.

The suggestion was accepted, as a modification of the amendments, and the amendments were rejected.

Mr. Jenks said his opposition arose from an injustice which might result from the ordinance, as, for instance, if a man owned twenty stores, and one of them alone was unoccupied, the landlord would be responsible for cleaning the walks of the nineteen which were occupied.

Mr. Ingalls of Ward Twelve said that therein consisted the beauty of the ordinance, for if a man was the owner of twenty buildings, nineteen of which were occupied, he would find it necessary to make arrangements with his tenants to keep the walks clear.

Mr. Jenks wished to know what remedy a landlord would have with a tenant who had a lease for twenty years.

Mr. Rich of Ward Fourteen opposed any delay in the passage of the amendment to the ordinance, and said that most of the objections which had had been made to it respecting the want of proper time to clear the snow would apply to the ordinance now on the statute books. The necessity was urgent for the passage of the amended ordinance. He did not know of any remedy in the case of the lease suggested.

Mr. Ingalls said that if the tenant had such a lease, he would be liable for the removal of the snow.

On motion of Mr. Keith, the further consideration of the ordinance was postponed one week.

REPORTS OF COMMITTEES.

Mr. Osborn of Ward Six, from the Joint Standing Committee on Ordinances, to whom was referred the ordinance to amend the ordinance concerning the assessment and collection of taxes, (relieving the permanent assessors from any specified duty on the street, and increasing the number of the first assistant assessors), made a report that the ordinance ought to pass.

The ordinance was considered.

Mr. Osborn explained the object of the proposed change. Under the present ordinance, giving several wards two Second Assistant Assessors, there are three more of the Second Assistant Assessors than there are of the First, and in having a man of one Board go over the ward with one of the other, three of the principal Assessors are required to do street duty. It was found that there was a difference of valuation in property on opposite sides of the street, which it was hoped would be remedied by the proposed change in relieving the principal Assessors from some of their present duties. The striking out of the eleventh section, allowed the designation of some one to remain in the office.

The ordinance was read once and the question being on giving it a second reading at the present time,

Mr. Keith of Ward Fifteen raised a question of order whether under the rules it could be read a second time at this session of the Council.

The chair decided that this did not come under the rule requiring the matter to lie over.

Mr. Keith, after reading section 47 of the rules, expressed his acquiescence in the decision of the chair.

The ordinance was read a second time by its title and passed.

Mr. Squires of Ward Eight, from the Joint Standing Committee on Public Lands, to whom was referred the petition of Jarvis Williams, for extension of time for building upon a lot of land on Harrison avenue, made a report as follows:

That the land in question was purchased of the city by Edward Gallagher, August 30, 1867, one of the conditions of sale being that a building not less than three stories in height, exclusive of the basement and attic, the exterior wall of which shall be of brick, stone or iron, was to be erected within two years from August 30, 1867. The agreement was transferred to the petitioner, he understanding fully all of the conditions set forth in the agreements. There being ample time for the conditions to be complied with, the Committee recommend that the petitioner have leave to withdraw.

Mr. Snow of Ward Eleven wished to know if Mr. Williams had an opportunity to appear before the committee and make known the reasons for his request. The order was offered by him, and Mr. Williams desired such an opportunity to appear before the committee.

Mr. Squires said he was not present at the session of the committee.

Mr. Snow said he feared that he might have omitted a part of his duty, and lest injustice should be done to Mr. Williams he would move that the report be recommitted, and that the Committee be instructed to give Mr. Williams a hearing.

The motion was carried.

Mr. Denny of Ward Ten submitted the following order:

Ordered, That the Committee on the Harbor be authorized to expend a sum not exceeding three thousand dollars, in repairing the city steam dredging machine and scows and boats connected therewith, said sum to be charged to the appropriation for the dredging machine.

Mr. Keith inquired if this order had been before a committee of the Council.

Mr. Denny replied that it came from the Committee on the Harbor.

Mr. Hall of Ward One inquired if this dredging machine had not been let out by contract, the contractors to keep it in repair.

Mr. Denny replied that it had been so let out, and that the contractor was required to return it in a suitable condition. Whether it was returned in as good condition as when let out he could not say. If not, as the party gave good securities, he will be held liable. It was necessary, however, that there should be made some repairs, to meet the wear and tear of the machinery and boats.

Mr. Wells of Ward Three inquired if the city did not put in new boilers last year at the expense of the city.

Mr. Denny did not know about this matter, but still if repairs were necessary they must be made.

Mr. Wells did not see why they should come to the city for repairs if the contractors were to make them.

Mr. Jenks of Ward Three inquired the amount paid for the use of the dredging machine and boats.

Mr. Denny believed it was $600 a month. It was not proposed, however, to let it at that price again. It was his opinion that the city could get more than that price, and he was for getting the last dollar he could.

Mr. Jenks wished to know how many months it was kept employed during the year.

Mr. Denny did not believe it was over fourteen, but thought it was twelve.

Mr. Jenks hoped the city might do better, and get not less than eighteen.

The order was lost, by a vote of 20 to 23.

On motion of Mr. Osborn of Ward Six the order increasing the salaries of the Commissioners on the Church Street District was taken up.

Mr. Hall of Ward One said he should like to inquire of the committee the necessity of the increase of these salaries.

Mr. Wadsworth of Ward Four said it was not supposed when the work was commenced that it would proceed so rapidly as it had done. In the rapidity of the work, it had progressed so fast that more was required of the Commissioners than they had anticipated. He was not himself in favor of so large an increase, but it was believed the increase of pay would impart more vim to the Commissioners in forwarding the work. It was probable that the work would be finished before the close of the present year, so that it would not make a great addition to the aggregate salaries.

Mr. Pickering of Ward Fourteen was afraid that if the Commissioners should receive more pay after they had showed so much vim as to forward the work beyond public expectations, the increased pay may have a contrary effect in diminishing their energy.

Mr. Wadsworth, in reply, said it was not the commissioners but the contractors who had pushed the work forward so rapidly.

Mr. Frost of Ward Nine said he had been in the

way of seeing much of this work and the time required of the Commissioners. The work had been pushed forward fast enough, and it had been well done. The order should be passed.

Mr. Hall of Ward One said it appeared that the work had been pushing the Commissioners, and wished to know what effect it would have to increase their pay.

Mr. Wadsworth had no doubt that more than an equivalent would be realized by the increase of compensation.

Mr. Hopkins of Ward Ten said it was supposed in the outset that such an arrangement could be made as would not require the services of each of the Commissioners more than two hours in each day. On the contrary, the whole three were required to be present all day, deciding upon matters which may come up, and answering questions which often require consultation.

It was supposed that the work would last three years, but this time would be much shortened. One of these Commissioners was now paying out more than he received to parties to fill his place.

The order was passed, by a vote of thirty-three to ten.

Mr. Wadsworth of Ward Four, from the Committee on the Church Street District, offered the following:

Ordered, That the Commissioners on the Church Street District, under the direction of the Joint Special Committee on said district, and with the approval of His Honor the Mayor, be and they are hereby authorized in the settlement and adjustment of damages for the taking of land in the Church Street District (so-called) with the former owners thereof, pursuant to an order of the City Council approved by the Mayor on the 24th day of November, A. D. 1868, to convey to them respectively any parcels of land, or parts thereof, owned by the city, within the limits of the said district, and upon such terms and conditions as they shall deem expedient, and the Mayor is authorized to execute deeds of all such parcels of land or parts thereof, accordingly.

Mr. Wadsworth, in explanation of the order, said it had been found that in consequence of widening several streets in the Church street territory, by setting back the houses, additions were made to many estates, and it was thought necessary to pass the order to meet such cases.

Mr. Jenks wished to know if this was not a roundabout way of assessing betterments on those estates, after it had been determined that they could not be subject to the betterment law.

Mr. Wadsworth replied that this was not a roundabout way of assessing betterments. Many estates had been improved by the widening of streets, and this was not a roundabout way, but a direct one, of requiring those who were benefited by the widening of streets to pay for the amount for which they may be liable.

The order was passed.

Mr. Wadsworth offered the following order:

Ordered, That so much of the land belonging to the city as was purchased for the use of the Police Station now being erected in Ward Fifteen, on Washington street, as is not required for the use of the same, be assigned to the use of the Cochituate Water Board.

In explanation of the order, the mover said that more land was purchased than was needed for the Station House, for the purpose of erecting thereon engines for the use of the Water Board. By devoting this land to the Board, as was designed, it will save purchasing other land for the purpose.

The order was passed.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## FEB. 23, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

PETITIONS PRESENTED AND REFERRED.

H. A Turner & Co. and others, that West street be widened, opposite Mason street.

Joseph W. Ward and others, that Ninth street be extended from H to G streets.

Calvin B. Faunce and others, for the widening of Pynchon street.

W. & A. Bacon and others, that Winthrop place be widened, straightened and graded.

A. Wentworth & Co. and 228 others, for the extension of Washington street through to Haymarket square.

John B. Tuttle and others, that Columbus avenue be laid out as a public street, from West Chester Park to Dartmouth street.

Carpenter, Woodward & Morton and others, owners and occupants of buildings on State street, against any change in the numbers on said street.

Henry Pfaff and 27 others, for the extension of Parker place to Pynchon street, Ward Fifteen.

J. B. Kimball and 105 others, for the extension of Devonshire and Washington streets.

Severally referred to the Committee on Streets.

Badger & Batchelder, for leave to use a steam boiler in their building, corner of Charles and Cambridge streets.

Jordan, Marsh & Co. and others against the proposed location of a steam boiler in Avon place.

Severally referred to the Committee on Steam Engines.

A. Folsom & Sons, and 73 others, for lamps on Longwood avenue, Ward Fifteen. Referred to Committee on Lamps.

Sisters of Charity, for pecuniary aid to the Carney Hospital. Referred to the Committee on Overseers of the Poor.

F. J. Nash and others, in aid of petition of Renton Carter, for a candy stand in School street. Referred to Committee on Licenses.

Andrew Barret and others, for abatement of a nuisance arising from the brook making the dividing line between Boston and Dorchester. Referred to Committee on Health.

John H. Buckley, to be heard respecting the alleged causes for his discharge from the Police. Referred to Committee on Police.

Chief-of-Police, in relation to the dangerous building on Causeway street. Referred to Committee on Police.

Samuel D. Bates, for renewal of his lease of the Bridge estate. Referred to the Committee on Public Buildings.

Mary Stratton, to be paid for personal injuries sustained by a fall in the street. Referred to the Committee on Claims.

S. S. Gray and others, that Newman street be paved from Lowland to Dorchester street.

George Young and Horatio Harris, that the area around Joy's Building be paved with wood.

Sarah H. Brown, for abatement for assessment for sidewalk on Mount Pleasant avenue.

Severally referred to Committee on Paving,

Nathan S. Maine, that an assessment for a sewer in Putnam street may be refunded. Referred to Committee on Sewers.

Daniel D. Kelley and 33 others, Geo. T. Adams, Heath, Cheney & Myrick and 40 others, for the purchase of the East Boston Ferry Company's property by the city. Referred to the Committee on Ferries.

NOTICES OF INTENTION TO BUILD.

D. E. Poland, 16 and 18 Devonshire street; C. E. Parsons, 52 Howard street; Samuel Newell, C street, between First and Second streets; Thomas Keyes, 153 Albany street; Brown & Leavitt, Brimmer street; James Currier, corner of Thomas and Atlantic streets: Brown & Leavitt, Berkeley street, between Marlborough and Beacon streets; James Shields, 48 Leverett street; Davis Damon, White street, between Monmouth and Marion streets; Thomas L. Jenks, corner of Spring street, Milton street and Melville place; John Christie Fourth street, between N and O streets; Francis James, Fourth street, between G and H streets; John A. Leighton, 1088 Washington street; M. Leavitt, Dudley street, corner of Lewis place; N. J. Bradlee, 20, 22 and 24 Devonshire street; Wm. Maguire, 234 Harrison avenue; S. J. F. Thayer, 8 Avon place; H. M. Wilson, 20 Boylston street; Jos. W. Tucker. Norfolk street, between Lambert avenue and Highland street; Alonzo H. Morris, Brookline street, between Shawmut avenue and Tremont street; James E. McCammon, corner of Fifth and M streets; D. W. Beckler, corner of Second and E streets; Richardson & Young, 418 Hanover street; P. McAleer, 15 and 17 Province street and Chapman place; Wm. Cutcliff, London street, between Porter and Marion streets; Wm. J. Irving, 8 Cambridge street; Maurice Kidney, Union Park street, between Albany street and Harrison avenue; H. Penniman, Fourth street, between D and E streets. Severally referred to the Committee on Streets.

THE BURRILL CLAIM AGAINST THE CITY.

A memorial was received from Charles Burrill in relation to his claim against the city for obtaining 6529 names of men, allowed on the quota of this city, in 1864, in which he says, after stating the various circumstances relating to it:

"But as yet he has received nothing from the city of Boston, or the said Mayor, [Lincoln] as compensation for his said services and expenditures; on the contrary, his claims for compensation have been disregarded, and he has felt obliged to, and has, under the advice of counsel, brought suits against the city of Boston, to establish said claims. But owing to the great delays and expenses thereof, and the technical defence set up, he has resolved to discontinue the said suits and come before you with this petition.

He further says, that if in the judgment of good and competent men he is not entitled to compensation from the city, for his exertion and expenditures, he will submit to such judgment and make no further claim. He therefore prays that the whole matter may be carefully considered and fairly judged, after giving him a proper hearing, or that such claim may be referred to high-minded, disinterested and competent men, to be decided without unnecessary delay."

Alderman Bradlee hoped no action would be taken on this memorial at the present time. The subject involved in it was so important that no step should be taken, nor should there be action which might commit the city to any course until it was ascertained whether the suits which Mr Burrill brought against the city, and were now pending, had been withdrawn. It is not stated in the petition that the suits had been withdrawn, but only that it is proposed to withdraw them. The views of the City Solicitor should be obtained, and he moved that the memorial be laid on the table. Carried.

On motion of Alderman Bradlee it was

Ordered, That the City Solicitor be requested to inform this Board in regard to the present condition of the suit brought by Charles Burrill against the City of Boston.

APPOINTMENTS MADE AND CONFIRMED.

The Mayor submitted the following appointments, which were confirmed:

Superintendent of Lamps—Geo. H. Allen.

Superintendent of Faneuil Hall Market—Charles B. Rice.

Superintendent of Faneuil Hall—Henry Taylor.

Truant Officers—Chase Cole, Edward G. Richardson, Geo. M. Felch, Phineas Bates, Abraham M. Leavitt, Samuel McIntosh, Edward F. Mecuen, Charles E. Turner.

Undertakers—Caleb I. Pratt, Franklin Smith, Richard Dillon, John Peak, Constant T. Benson, William Cooley, Lewis Jones, David Marden, John W. Pierce, Nahum P. Whitney, David Gugenheimer, Job T. Cole, Oren Faxon, Wm. H. Brown, Benjamin F. Smith, Hiram Stearns, Philip E. Field, John H. Peak, Daniel O'Sullivan, Wm. E. Brown, James Haynes, Daniel Ellard, Robert S.

G. Marden, Hugh Taylor, Jeremiah Tinkham, Louis Adam, Wm. D. Rockwood, Dennis Sullivan, Philip Kennedy, George V. Field, John C. Seaver, Joseph S. Waterman, Wm. Manning, John Heintz, John Haynes, Martin Lynch, James Farrell, Saml. J. Crockett, Hyram T. Weiner, James Cotter, Geo. Johnson, Geo. Stevens.

Weighers of Hay—North Scales, Josiah Livermore; South Scales, Maurice B. Rowe; South Boston Scales, John M. Johnson; East Boston Scales, John W. Kimball; Highlands, Andrew W. Newman.

Measurer of Grain—George P. Ray.

Measurers of Wood and Bark—Timothy Abbott, B. G. Prescott, William Keith, Josiah Livermore, William Seaver, Henry Basford, Francis Freeman, Edwin A. Remick.

Inspectors and Weighers of Bundle Hay—Israel M. Barnes, Samuel B. Livermore, Henry Emerson, William S. Holmes, Jasper H. Eaton, William R. Inman, E. G. Dudley, Walter C. Bryant.

Inspector of Milk—Henry Faxon.

Surveyor of Marble—Thomas J. Bayley.

Inspector of Coal Oils—Robert F. Means.

HEARINGS ON ORDERS OF NOTICE.

The order of notice on the proposed new street, from Harrison avenue to Albany street, and on the proposed widening of Harrison avenue, near Dover street, were taken up. No person appearing in relation thereto, the reports were recommitted.

The order of notice on petition of Samuel West, for leave to maintain a steam engine and boiler at No. 7 Avon place, was taken up.

Hales W. Suter appeared in opposition to granting the petition, and the remonstrance of Jordan, Marsh & Co. and others was presented.

Mr. Suter said he was not aware of the usual course in such matters, but was prepared to object to the petition after hearing the reasons for granting it. The petitioner had erected a wooden L and a tall chimney to the building, and the remonstrants believed it would prove dangerous to put an engine into it, which might cause a fire at any time.

S. E. Sewall appeared in behalf of Hon. Richard Fletcher, who was in poor health, and would greatly be annoyed by a steam engine so near his premises. It was his belief and that of other remonstrants that such engines should be confined to particular localities, and that this was not a suitable place for the erection of a steam engine.

A. W. Boardman appeared for the petitioner, and stated that they were prepared for a hearing at any time, either before the Board or before a committee. It was supposed by him that a hearing would take place before a committee, as being preferable to a hearing before the whole Board.

On motion of Alderman Talbot, the report was recommitted, for a hearing of the parties before the Committee on Steam Engines.

CONVENTION TO FILL A VACANCY IN THE SCHOOL COMMITTEE.

The Board concurred in the request of the School Committee, for a Convention on Tuesday, March 9th, for the purpose of filling a vacancy in the Committee, caused by the resignation of Wm. C. Wescott, a member of that Board from Ward Seven.

UNFINISHED BUSINESS.

The following order was read a second time and passed:

Ordered, That the Treasurer be directed to refund to Isaac Samuels the sum of $20 95, being the amount paid by Samuels for a defective tax title on an estate in Springer place, in the year 1861, with interest thereon, at the rate of six per cent. per annum, said sum to be charged to the receipts for taxes.

COMMON COUNCIL PAPERS.

The following orders and references were adopted, in concurrence:

Order for Committee on Public Instruction to hire a suitable hall for exhibition of deaf mutes. Estimated expense $75.

Order for Church Street Commissioners to reconvey certain estates to former owners in settlement of damages, &c.

Order to fix salary of Church Street Commissioners at $2,500 per annum, from January 1, 1869.

Report leave to withdraw on petition of Jarvis Williams, for extension of time in which to build on Harrison avenue. Recommitted with instructions to hear the petitioner.

The order to allow the Cochituate Water Board to use a portion of the Police Station lot in Ward Fifteen, which was at first passed in concurrence, was, on motion of Alderman Richards, reconsidered and referred to the Committee on Public Buildings.

The ordinance to amend ordinance in relation to taxes, so as to elect nineteen first assistant assessors, was passed in concurrence.

Orders to purchase land on Appleton street, for a primary schoolhouse site (22,325 feet for $28,465) and for a loan of $29,000 therefor, being under consideration,

Alderman Richards said he did not propose to make opposition to the passage of this order, yet he could not let this opportunity pass without expressing his dissent from the manner of forcing upon the Committee on Public Buildings the taking of action on matters for which they cannot be responsible, in examining into the propriety or expediency of purchases. This might all be right, but there should be time granted for the Committee to examine into matters before being called upon to act. The Committee on Public Buildings, being required to decide upon matters of this kind, should have the right to take time enough to decide what shall be best for the public interests and relieve themselves from blame through hasty action. The time fixed for the purchase in the order, he was aware, would not allow of a reference to that Committee.

Alderman White said the reason why immediate action was called for was, that there were two other parties desirious of purchasing the lot which was owned by Mr. Matthews, and he had fixed upon the 1st March as the limit of time in which the city shall have the refusal of it. The matter was under consideration last year, and this lot was reported as the most favorable one for a primary schoolhouse, so that it could not be presumed to be hasty action.

Alderman Pratt said the difficulty in this case grew out of the ill-defined powers of the Committee on Public Instruction. That committee was the only one which came between the School Committee and the City Council, and they truly represent the City Council and the School Committee. He could not see why the Chairman of the Committee on Public Buildings should object to the exercise of power by the Committee on Public Instruction in indicating such lots as might be best suitable to the wants of the schools.

The Committee on Public Buildings have the privilege at all times to refer back when they find any action submitted to them which is objectionable, and when it comes to the erection of buildings, they may take the responsibility of such action as devolves upon them, as the Committee on Public Instruction are perfectly willing to assume all the responsibility belonging to them.

Alderman Richards said he was not apt to cavil when there was no occasion for it. When the gentleman says there is no occasion to cavil, he might refer to a case in his own neighborhood, in Charter street, where a schoolhouse was crowded in improperly, and yet the Committee on Public Buildings had been blamed for what they were not responsible for. A similar case occurred in the building of the Phillips Schoolhouse, where the schoolhouse comes in close contact with the wall of a church. The people don't know about such matters and blame the Committee on Public Buildings.

These reports often come in the form of a peremptory order, and it is frequently the case that there is no time to consider them. In this respect the Committee on Public Instruction had encroached upon the duties of the Committee on Public Buildings. In this case the time fixed for the purchase was so short that there was no choice. He was willing to take the responsibility of his actions, but wished to have time to consider such matters.

Alderman Pratt further defended the course of the Committee on Public Instruction, and made some remarks relative to the erection of the stairways in the Charter street Schoolhouse, over the building of which the Committee on Public Instruction exercised no control. If committees made mistakes they must take the responsibility for such mistakes.

The order was adopted by a unanimous vote.

SUPERINTENDENT OF DOVER STREET BRIDGE.

The Board proceeded to an election of Superintendent of Dover Street Bridge. The result of the balloting was as follows:

Whole number of votes.....12
Necessary to a choice..... 7
Angus Nelson.....4
Richard Cook.....4
Martin Russell.....4

The second ballot was as follows:

Whole number of votes.....12
Necessary to a choice..... 7
Martin Russell.....7
Richard Cook.....3
Angus Nelson.....2

Mr. Russell was declared to be elected, in nonconcurrence.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, made reports granting licenses to innholders, and for wagon stands, which were accepted.

Also, licenses to six boys to sell papers, three to sell lamp mats, and one to sell matches. Severally accepted.

The same committee also reported favorably on petitions, as follows, all of which were accepted:

Wm. B. Shedd, for a velocipede rink at 296 Washington street.

Berry & Stone, for a velocipede rink at 286 Commercial street.

D. L. Thatcher and others. for a velocipede rink at No. 7 Green street.

Charles F. Briggs and others, for a velocipede rink at Institute Hall, Highlands.

Walter Brown and others, for a velocipede rink at 179 Court street.

Frederick M. Harris, for a velocipede rink at 847 Washington street.

J. T. Atwood, for a velocipede rink at Webster Hall.

Shedd & Blanchard, for a velocipede rink at Williams Hall.

George & Chipman, for a velocipede rink at 35 Sudbury street.

Isaac L. Pratt, for a velocipede rink at 187 Summer street.

J. Austin Rogers, for a velocipede rink at 2109 Washington street.

Parker & McNiel, for a velocipede rink at corner of Springfield and Washington streets.

F. H. Leadworth, for a velocipede rink at 66 Portland street.

Crosby & Haines, for a velocipede rink at 185 Hanover street.

Pearl & Co., for a transfer of license for a velocipede rink at Sumner Hall.

Chickering & Sons, for leave to give public exhibitions, &c., at their hall in Washington street.

J. Wentworth, for leave to give public performances at the Theatre Comique.

Timothy Collins, for a sparring exhibition at Theatre Comique.

Alderman Pratt raised the question whether the wagon licenses, heretofore referred to, were new ones or transfers of old ones.

Alderman White, in reply, stated that the wagon licenses were new and the committee had exercised discrimination in granting such licenses, objecting to permitting them in business and crowded localities, and giving a preference to such places as were out of the way. Many licenses had been refused. The licenses granted were for the Highlands, the extreme South End, South and East Boston.

Alderman Richards, from the Committee on the Fire Department, reported a new draft of the ordinance in relation to the Fire Department, increasing the number of Assistant Engineers from twelve to thirteen, two of them to reside at East Boston. The ordinance was passed.

Alderman James, from the committee to nominate candidates for fence viewers, made a report which was accepted.

The Board proceeded to an election of fence viewers, when Wm. T. Hight, Moses Gragg and John Dove were unanimously chosen, each receiving twelve votes.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman White, from the Committee on Health, reported an order to abate certain nuisances, Adopted.

Alderman James, from the Committee on Paving, on the petition of Alpheus Hardy and others, submitted the following order:

Ordered, That that part of Court street extending from Washington street to Tremont street and Cornhill be hereafter called and known as State street, in continuation of the street now known by that name.

On motion of Alderman James, the report and order were laid on the table.

Alderman Hawes, from the Committee on Steam Engines, made a report in favor of granting the petition of Milo Whitney, for leave to put up and maintain a steam engine at No. 1057 Washington street. Accepted.

Alderman Seaver, from the Committee on the Market, reported in favor of the transfer of several market leases specified. Accepted.

Alderman Talbot, from Committee on Streets, reported leave to withdraw on the petition for the extension of Eaton street through Seabury place to Blossom street. Accepted.

Alderman Talbot, from the Special Committee to whom was referred all matters in interest between the city of Boston and the Boston & Albany Railroad Co., made a report, recommending the adoption of the following order:

Ordered, that the Board adopt and establish the revised grades of Harrison avenue, Pine street, Seneca street, Way street, Curve street, and East Castle street, as shown on plans and profiles drawn by the City Surveyor, dated Nov. 23, 1868, and deposited in the office of said City Surveyor.

Alderman Talbot asked for the immediate passage of the order, as the revised grade involved the raising of the several bridges of the Boston & Albany Railroad.

Alderman Pratt inquired if the proposed action would not be a disadvantage to the public, for it was understood that the high grade of the bridge on Ferdinand street gave great dissatisfaction.

Alderman Talbot remarked that so far as related to Ferdinand street, the ascent to which was easy, the railroad company were willing to lower the bridge. Some of the bridges were so low that the sleeping cars could not get under them without breaking their tops. The committee had been met in a kindly spirit by the railroad corporation, which was willing to assume the expense of raising the bridges. It was proposed to give authority to raise these bridges, one at a time, and the others will come along in a week or two.

Alderman Pratt said he favored facilities for travel as much as any one; but if the measure should produce a grade like that at present on Tremont street, he should object. The order to adopt the above grades was then passed.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the Board establish the revised grade of Tremont street, between Church street and the bridge over the tracks of the Boston & Albany Railroad Company, as shown on a plan made by the City Surveyor, dated October 28, 1867, and deposited in the office of the said City Surveyor.

Ordered, That the Superintendent of the Common and Squares be authorized under the direction of the Committee on Common and Squares to grade and lay out the ground around the Washington Statue, Public Garden, at an expense not exceeding $5500, said amount to be charged to the appropriation for Common and Public Squares.

On motion of Alderman Richards,

Ordered, That the Board of Engineers of the Fire Department be requested to report what action has been taken under a recommendation of this Board adopted in 1868 (City Document 119), in relation to wooden buildings located in this city in violation of law.

Alderman Richards, in support of the order, stated that the Board of Engineers was requested last year to make a report on the subject of the violation of the law in relation to the erection of wooden buildings. They made a report, and it appeared that some parties intended to go on in violation of the law, while others did not. The Board of Engineers should inform this Board whether it is possible to enforce the law, and if it could not be enforced, and a change is necessary, let us make it.

On motion of Alderman Talbot,

Ordered, That there be paid to the heirs of Thom-

as Leach and the heirs of Joshua Brewster $14,000 for land taken and damages occasioned by the widening of Bowker street, formerly Adams street, by a resolve passed Nov. 8, 1867.

Ordered, That the Committee on Laying Out and Widening Streets be and they are hereby authorized to sell at public auction the two estates on Richmond street, between Hanover and Salem streets, belonging to the city of Boston, which were surrendered to the said city under the betterment law by Frederick Gould, and that the proceeds of the sale be paid into the City Treasury.

On motion of Alderman Talbot,

Ordered, That the safety and convenience of the inhabitants of the city require the widening of Harrison avenue on its southeasterly side, near the corner of Dover street, by taking land of heirs of Wm. Richardson, containing 239 2-10 square feet, at a cost of $478 40.

On motion of Alderman White,

Ordered, That the sum of $500 be added to the appropriation heretofore made for the purpose of supplying soup to persons in necessitous circumstances, said sum to be charged to the appropriations for Police.

Ordered, That three members of this Board be appointed to visit the several prisons and houses of detention, in the county of Suffolk, at least twice during the present year, and make the examination and reports required by the statutes of this Commonwealth. Aldermen James, Richards and Seaver, the Committee on Institutions at South Boston and Deer Island, were appointed the Committee under this order.

On motion of Alderman Seaver,

Ordered, That the Committee on Police be authorized to procure furniture, bedding, and such other articles as are necessary to properly furnish the Police Station House in Ward Fifteen, the expense thereof, not exceeding the sum of twenty-three hundred dollars, to be charged to the appropriation for Police.

On motion of Alderman Talbot, an order was passed for the laying out of Bristol street, from Harrison avenue to Albany street, forty feet in width, by taking land of heirs of Wm. Richardson, land of John S. Blair and the city of Boston, at an expense of $19,978.

Alderman White offered the following orders:

Ordered, That the Committee on Public Buildings be authorized to purchase a lot of land at the junction of Warren and Dudley streets, owned by Henry W. Walker, and containing 7026 square feet of land, more or less, for the purpose of having erected thereon a building to contain accommodations for Hook and Ladder Company No. 4, and a ward room for Ward Fourteen, the cost of said land not to exceed the sum of $10,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $10,000, to be applied to the purpose of a site for a Hook and Ladder House. Read and laid on the table.

CITY HOSPITAL.

A communication was presented by Alderman Bradlee, from the Trustees of the City Hospital, asking for an additional appropriation of $5000, to meet the current expenses of the Hospital. The Trustees refer to the anticipated expenses of the Hospital from the annexation of Roxbury, and remark that the addition of patients had been much larger than was anticipated. The average had been 172 against 135 last year. Referred to Committee on City Hospital.

ORDERS OF NOTICE.

On motion of Alderman Talbot an order of notice was adopted on proposed laying out and widening of Bennett avenue, on the northeasterly side thereof. Hearing Monday, March 8, 4 P. M.

On the proposed widening of the easterly side of West Cedar street, between Revere and Phillips streets. Hearing, Monday, March 8, 4 P. M.

To hear parties interested in the question of damages occasioned by the laying out of Avon place as a public street, and of parties to be assessed for betterments on account of the opening of said street. Hearing Monday, March 8th, 4 P. M.

THE SALARY BILL.

On motion of Alderman Talbot, the Salary bill was taken from the table.

Alderman Talbot offered the following amendments, of which he had previously given notice:

"Amend the Second Section of the order printed on page 13 (City Doc. 17) so that it shall read as follows:

Section 2. The salary of the First Assistant Assessors shall be at the rate of six dollars; and the salary of the Second Assistant Assessors at the rate of five dollars, for each and every day of actual service while engaged in street duty or revising assessments; and there shall be paid a further sum of three hundred dollars to each First Assistant Assessor, and two hundred and fifty dollars to each Second Assistant Assessor for attending all the sessions of the Board, composed of the Assessors and First and Second Assistants; and for non-attendance, there shall be deducted a *pro rata* amount. The amount of service rendered by the several Assistant Assessors shall be certified by the Secretary of the Board."

Also, add the following section:

"Section 3. The sessions of the Board shall be held daily, beginning on the 16th day of June, and shall not terminate sooner than the 7th day of August, unless dissolved by the Board of Assessors."

After some explanations by the mover, the amendments were adopted, and the Salary bill, as amended, was passed.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## FEB. 25, 1869.

The regular weekly meeting of the Common Council was held at 7½ o'clock this evening, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Several petitions from the Board of Aldermen were referred in concurrence.

The request of Trustees of the City Hospital, for an additional appropriation of $5000, was referred to the Committee on City Hospital, in concurrence.

The order authorizing to be sold by auction two estates on Richmond street, between Hanover and Salem streets, which were surrendered to the city by Fred. Gould, under the Betterment Law, was passed, in concurrence.

The order authorizing twenty dollars and ninety-five cents, with interest thereon, to be refunded to Isaac Samuels, the principal being the amount paid by him for a defective tax title on an estate in Springer place, being under consideration,

Mr. Keith of Ward Fifteen made some inquiry relative thereto, and opposed the allowance of such claims, on the ground that the city did not guarantee such titles, and as parties usually purchased them on speculation, they ran their own risk, and could have no claim upon the city to make them good.

Mr. Gray of Ward Twelve said this matter had been in the hands of the Committee on the Assessors' Department, who had reported favorably thereon. The City Solicitor had been consulted, and approved the same.

The order was referred to the Committee on Claims.

The reference to Committee on Public Buildings of order setting apart a portion of land in Ward Fifteen for the use of the Water Board, was concurred in.

The Ordinance to amend an Ordinance in relation to the Fire Department was passed in concurrence.

The resolve and order for laying out Bristol street, between Harrison avenue and Albany street, coming up for the action of the Council,

On motion of Mr. Flynn of Ward Seven, it was referred to the Committee on Streets of the Common Council.

Mr. Wadsworth of Ward Four said he had some recollection of action on this subject, either in the present Council or that of last year, the city to give one-half the land and the owner of the rest of the land the other half.

The certificate of the election of Superintendent of Dover Street Bridge was received from the Board of Aldermen.

ELECTION OF SUPERINTENDENT OF DOVER STREET BRIDGE.

Messrs. Braman of Ward Six, Gray of Ward Twelve, and Ryan of Ward Thirteen, were appointed a committee to receive, sort and count the votes.

The committee reported as follows:

| | |
|---|---|
| Whole number of votes | 51 |
| Necessary to a choice | 26 |
| Angus Nelson | 35 |
| Richard Cook | 9 |
| Martin Russell | 7 |

Mr. Nelson was declared to be elected again in non-concurrence.

ELECTION OF FENCE VIEWERS.

Messrs. Wilkins of Ward Nine, Lucas of Ward Seven, and Poor of Ward Eleven, were appointed a committee to receive, sort and count the votes.

Mr. Woolley of Ward One said he was authorized to withdraw the name of Wm. T. Hight, elected by the other Board, and he proposed in his place the name of John Noble.

The committee reported as follows:

| | |
|---|---|
| Whole number of votes | 50 |
| Necessary to a choice | 26 |
| Moses Gragg | 50 |
| John Dove | 50 |
| John Noble | 31 |
| E. W. James | 7 |
| Wm. T. Hight | 4 |
| Geo. P. Darrow | 3 |
| Coleman Cook | 3 |
| G. C. Judson 2, B. F. Butler 1 | 3 |

Messrs. Gragg, Dove and Noble were declared to be elected, the last in non-concurrence.

The Chair called attention to the impropriety of the practice of voting for persons not eligible, or of trifling in the balloting for public officers.

The Salary bill, City Document No. 13, was taken up.

Mr. Ingalls of Ward Twelve moved that it be read once by its title, and that its consideration take place in the next stage; meantime the members would have an opportunity of examining it and be prepared to offer amendments, if so disposed.

The motion was carried and the bill was read once.

UNFINISHED BUSINESS.

The order to transfer from "Soldiers' and Sailors' Monument," $10,000; and from "Police" $15,000, to the Appropriation for Paving, etc.; from "Primary School Instructors," $10,000, to the Appropriation for Grammar Schools, and from the "Reserved Fund" $1200, to the Appropriation for Bridges, was considered.

Mr. Hobbs of Ward Fourteen inquired whether in the transfer of the several appropriations specified the vote was to be upon them all at once.

The Chair replied that the vote was given in one answer.

The order was passed by a unanimous vote.

The order authorizing the Treasurer to borrow $72,000, to be added to the appropriation called the Oliver Street Temporary Loan—printed City Document No. 23, 1869—being on its passage, Mr. Flynn of Ward Seven moved that it be referred to the Committee on Streets of the Common Council. Carried.

AUDITOR'S ESTIMATES FOR THE FINANCIAL YEAR 1869–70.

A report was laid before the Council from the City Auditor, giving his estimates of the receipts and expenditures for the financial year commencing first of May next, together with the amount which will be required as a tax to meet such expenditures. Some of the principal statements are as follows:

| | |
|---|---|
| Estimated expenditures | $8,554,754 |
| Estimated income | 1,487,450 |
| Leaving to be provided for | 7,067,304 |
| To which add 3 per cent. for the amount of taxes which will not be paid into the Treasury during the financial year | 212,020 |
| Total amount to be raised by taxation | 7,279,324 |
| Compared with last year's tax, the above statement shows an increase of | 1,394,495 |
| Estimated tax for 1869 | 7,279,324 |
| Estimated tax for 1868 | 5,884,829 |
| Making an increase as above | $1,394,495 |

The principal items of this increase are, interest on the city debt proper, $371,000; on the water debt, $127,000; paving and grading streets, $300,000; State tax, $180,000; City debt, $160,000.

The interest account is greatly augmented by the increase of debt for street improvements made by the last City Government, for prosecuting the work on the Chestnut Hill reservoir, for introducing the water into the Boston Highlands, and to meet the interest on loans to be made for matured and contemplated building and street widening and opening projects by the present City Council.

The amount for paving and grading of streets is necessarily increased by the extensive widening of old streets and the opening of new thoroughfares now in progress which require to be graded and paved as soon as the removal of the buildings is accomplished; the amount borrowed for nearly all the undertakings not covering the expenses of putting the streets in order for travel, but only the amount needed for land and building damages.

The original appropriation for the department last year was $300,000, but it was increased by transfers during the year to $400,000.

The amount of the tax levied by the State of Massachusetts last year on the several cities and towns of the Commonwealth was $2,000,000, and this year the Finance Committee of the House of Representatives have voted that a tax of $2,500,000 will be needed, and of this increase of $500,000 Boston will have to pay 36.157 per cent., equal to $180,785.

The amount asked for under the head of City Debt is required by the Ordinance on Finance, which provides that three per cent. at least shall be taxed on all the debt outstanding, which sum goes into the Sinking Fund for its redemption. The capital of the debt, February 25, 1869, stands $19,188,153 75.

The Auditor gives a table comparing the estimated appropriations of last year, and concludes as follows:

| | |
|---|---|
| Total increase of estimated appropriations for 1869-70 | $1,699,649 |
| Less, decrease of appropriation | 236,971 |
| Net increase | $1,462,678 |
| Estimated income of 1869-70 | $1,487,450 |
| " " 1868-69 | 1,378,650 |
| Giving an increase of income of | $108,800 |
| PER CENTAGE ON TAXES. | |
| Three per cent. on amount required 1869-70 ($7,248,304) | $212,020 |
| Three per cent. on amount 1868-9 ($5,713,426) | $171,403 |
| Increase of per centage | $40,617 |
| RECAPITULATION. | |
| Net increase of appropriations 1869-70 | $1,462,678 |
| Increase of revenue | 108,800 |
| | $1,353,878 |
| Add increase per centage on taxes | 40,617 |
| Total increase tax 1869-70 | $1,394,495 |

The estimates were referred to the Committee on Finance, with such as the Board of Aldermen may join, with authority to report in print.

ORDERS PASSED.

On motion of Mr. Flynn of Ward Seven,

Ordered, That the Committee on Public Buildings consider and report upon the expediency of erecting a new Police Station House in the Sixth District.

On motion of Mr. Tucker of Ward Six,

Ordered, That a committee be appointed, with such as the Board of Aldermen may join, to nominate an additional Assistant Engineer of the Fire Department, to reside at East Boston.

Messrs. Tucker of Ward Six, Hall of Ward One and Kingsbury of Ward Fifteen, were appointed the committee on the part of the Council.

On motion of Mr. Kingsbury of Ward Fifteen:

Ordered, That the Committee on Water consider and report upon the expediency of putting the Lowry hydrants in the Church Street District, the same having been lately put into the Highland District.

An order was passed for the payment of bills of persons directly or indirectly connected with the City Government.

Mr. Keith of Ward Fifteen moved a reconsideration of the vote whereby the order authorizing the Committee on the Harbor to make repairs on the steam dredging machine was denied a second reading.

Mr. Denny of Ward Ten said he was subjected to various questions and interrogatories at the last meeting of the Council which he was unable to answer. Some of the questions should more properly have been made to the committee of last year. Not being on that committee, he could not answer them, but a gentleman who was present, and who was on that committee, might have much more readily given the information asked for. To satisfy the Council, he had endeavored to obtain the information which was required, and trusted they would listen patiently to what he had to say on the subject.

Mr. Denny said it would be necessary to go into a history of the dredging machine. On inquiry he found that the apprehensions of the cholera in 1866 led to the adoption of measures by which such danger would be warded off or lessened. The accumulation of deposits from sewers was a cause of apprehension, more particularly from the neighborhood of Charles river. An order was issued by the Board of Health to the owners of docks to cause their docks to be dredged out; their reply was that they could not make the excavations for want of a dredging machine. It was found that but one dredging machine could be had, and that was not in a condition to be used, without repairs.

The result of the consultation and investigation was that a contract was made for the building of a dredging machine, with the scows and all the apparatus necessary, at a cost of $40,000. It was the opinion of Mr. Boschke that its use would be required for eight months in the year for the various purposes needed. Its advantages to the city had been fully set forth in the report of Major-General Foster, in charge of the improvements in the harbor.

In the work of dredging required by the Government, Gen. Foster states in his report that a contract was made with Charles Woolley of this city, the only person owning a dredging machine besides that of the city, who after working a part of a day, refused to comply with the terms of the contract and gave it up. The only other party who made a bid was Mr. Wright of New York, who was notified of the acceptance of his bid. Mr. Wright replied, that on learning that Mr. Woolley had obtained the contract, he had sold his dredging machine, and his contract was transferred to Mr. Boschke.

The advantages of the construction of this machine could be seen in this, that without it, if the city had wanted the deposits of the sewers removed and had depended upon Mr. Woolley, in what condition would it have been? By reference to the Auditor's books, it appeared that the cost of the dredging machine, with the scow, all the apparatus and repairs, amounted to $48,666 35. The receipts on account of the machine had been $20,291 88, which made a cost to the city of $28,000, realizing forty per cent. income besides doing the work of the city.

Mr. Boschke had paid up all his indebtedness for the use of the machine. On an examination of the machine, while he might be satisfied that it would run six months or possibly a year, without repair, yet if a cog-wheel or a cylinder head should give way, he should consider it advisable that everything should be done to it which might be necessary. Prudence, economy and good judgment would dictate that it should be done today, rather than any risk should be incurred in the delay of repairing it, should repairs be found to be necessary.

Let the repairs be made, and the machine may be let on advantageous terms the coming year. He was aware that members of the Council were sometimes called upon to vote blindly, and did not blame members for wishing information, but he had been assured that this might meet with opposition in certain quarters, and that opposition sufficient would be found to block the wheels in the passage of this order.

Mr. Denny urged the reconsideration of the vote rejecting the order, so that such repairs as were found necessary may be made, and a delay by which the city loses $40 or $50 a day shall be prevented. The repairs heretofore had been done in an economical manner. Most of the expenditures required would be upon the scows, which needed caulking and bracing. About $600 or $700 would probably be needed upon the machinery. The question had been asked whether a boiler was put in last year. A boiler was put in, at a cost of $500, of which Mr. Boschke paid one-half and the city the other.

Mr. Woolley of Ward One said he felt required to answer some reflections which had been cast upon him. The reflection on his partner, Charles Woolley, he took no part of. Yet so far as reference was made to his contract for dredging, instead of working but half a day he went down the harbor and stayed there three weeks. He then gave up the contract, forfeited his bonds and paid them. In reference to the work done by this machine for the city, the only work done was at foot of Poplar street, and this, instead of being done at his estimate of $1200, cost the city $1750. Other jobs which were attempted it failed in doing.

Mr. Denny said he had been careful not to re-

flect on the gentleman from Ward One, whom he did not know in the matter, and so far as related to the contract with Charles Woolley, he had read what was said in the report of the Harbor Commissioners and in that of Gen. Foster. As to the work done by this machine for the city, besides the work at the foot of Poplar street, dredging had been done at the mouth of Charles river.

Mr. Wells of Ward Three said he could tell of some of the work done by this machine for this city. This machine was used to dredge out the slips of the East Boston Ferry, causing the wall to fall down, and Mr. Woolley had to be employed to put it up.

Mr. Woolley replied further relative to reflection on him, that it was charged that personal influence had been used to defeat this order. He did not know that the order was to be brought up at the last meeting of the Council.

Mr. Jenks of Ward Three said he was opposed to the order on the ground that the amount of appropriations should first be ascertained, and that committees should not be constantly coming to the Council for increase of appropriations. They might just as well commence with this to stop the practice.

Mr. Hall of Ward One did not wish to clog the wheels in making appropriations. If this machine needed repairs, let it be put in repair; if it was worth anything—although he might sometime raise that question—let it be repaired and the work go on. He should accordingly vote for the appropriation tonight.

The motion to reconsider was carried, and the order was passed that the Committee on Harbor be authorized to expend not exceeding $3000, for repairs on the dredging machine, scows, &c.

Mr. Denny further remarked in relation to the delay of which he spoke, that he did not wish to say that the blocking of wheels was in any other than a legitimate way.

Mr. Keith of Ward Fifteen moved to take up the ordinance to amend an ordinance in relation to streets, postponed to this meeting. Carried.

Mr. Keith said he had examined this ordinance with some care since the last meeting of the Council. He found on investigation that an ordinance similar to this was passed in 1832, with exceptions to its provisions in favor of South Boston. This was subsequently revised and the ordinance was changed to the form in which it now exists. He had amendments to propose, in favor of outlying districts similar to those formerly in favor of South Boston, and it might be found necessary to apply them to Ward One, or elsewhere. These amendments were to except Wards Thirteen, Fourteen and Fifteen, from the provisions of the ordinance, and to provide in those wards, that if a snow storm ceases in the night, until 11 o'clock in the forenoon be allowed for the removal of the snow from the walks, and that three hours shall be allowed after the ceasing of a snow storm in the day time.

Mr. Keith said it would be necessary that he should state again some of the difficulties which would prevent the enforcement of the present provisions of the ordinance in some sections. He knew of instances where at least 2000 feet of sidewalk would require to be cleared, and it would be impossible to have it done in the time required. Many of the residents in those wards do business in this part of the city, and they could not despatch a man in season to clear the snow after the close of a storm, nor could they go home to do it themselves in season. He, therefore, moved these amendments, indicating the changes which would be required in the language of the ordinance.

Mr. Osborn of Ward Six moved a recommitment of the ordinance, with the amendment proposed.

Mr. Ingalls of Ward Twelve moved to include Ward Twelve in the amendment of Mr. Keith.

Mr. Flynn of Ward Seven said he should propose also to include Ward Seven.

Mr. Hall of Ward One proposed also to include that Ward.

The Chair ruled these last motions out, two amendments being already pending.

Mr. Jenks of Ward Three said he should like to propose a new section to include Ward Three.

The motion to recommit was carried.

Mr. Keith of Ward Fifteen inquired what had become of the report on joint rules and orders which was recommitted some weeks since. The difficulties which were to be remedied in the proposed amendments had been experienced tonight, when a call was made that a report should be read by its title, and it proved that it had no title.

Mr. Tucker of Ward Six, of the committee, said the matter went to the joint committee, and requiring action by the other branch, he had not been notified of any meeting for action, and nothing had been done on the subject.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## MARCH 1, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff in the chair.

APPOINTMENTS MADE AND CONFIRMED.

John L. Cook, as Sergeant of Police, for duty at the City Hall.

Joseph S. Blye, as an undertaker.

PETITIONS PRESENTED AND REFERRED.

Geo. W. Decatur, for leave to run fifteen coaches from the Highlands to the Fitchburg station. Referred to the Committee on Licenses.

Chas. W. Lawrence, for license as an auctioneer. Referred to Committee on Licenses.

John Barnard, that a portion of a dangerous wall of house No. 23 Rochester street may be declared a nuisance and removed accordingly. Referred to the Committee on Police.

Managers of Discharged Soldiers' Home, for an appropriation to repair the Alms House in the Highland District. Referred to the Committee on Public Institutions.

Mary Faxon, for abatement of assessment for a sewer in Washington street. Referred to Committee on Sewers.

William Maguire, for leave to box around his estate on Rochester street and Harrison avenue. Referred to Committee on Paving.

Alvah Kittredge and others, that Linwood street and Highland avenue be laid out as public streets. Referred to Committee on Streets.

Manufacturers' Exchange, that the city would indicate the terms and conditions upon which they may enjoy their franchise. Referred to the Committee on Streets, with such as the Common Council may join.

NOTICES OF INTENTION TO BUILD.

C. J. Speneeley, corner of Lenox and Sawyer streets; W. A. Woodward, corner of Warren and Winthrop streets; John Joyce, corner C and Third streets; Maurice Curry, rear of 212 Fourth street; Jacob Nauer, 1094 Tremont street; Patrick Kain, N street, between Fourth and Fifth streets; N. J. Bradlee, 9, 11 and 13 Cambridge street; Ivory Harmon, corner Perrin and Moreland streets; Ivory Emmons, 273 Tremont street; Charles E. Lane, Mount Warren place; E. A. Richards, East Dover street; Holbrook & Harlow, Fourth street, between G and H streets; Chamberlain & Marston, Waltham street, between Shawmut avenue and Tremont street; Henry Flynn, Fourth street, between B and C streets; Thos. K. Daunt, Norfolk place; Barnes & Barker, 31 First street; Barnard & Lancaster, 240 North street; Dennis Carroll, Eighth street, between E and F streets; N. Wheeler & Co., 421 Washington street. Severally referred to the Committee on Streets.

COMMON COUNCIL PAPERS.

Petitions from the Common Council were referred, in concurrence.

The Auditor's estimate for the next financial year, 1869-70, was referred on the part of the Board to Aldermen Richards, of the Committee on Public Buildings, Seaver, on Police, Fairbanks, on Sewers, Talbot, on Streets, and White, on the Police, in concurrence with the Committee of the Common Council.

ELECTION OF FENCE VIEWER.

The election of one fence viewer was taken up, when John Noble was chosen by an unanimous vote, in concurrence.

ELECTION OF SUPERINTENDENT OF DOVER STREET BRIDGE.

Balloting took place as follows, for a Superintendent of Dover Street Bridge:

| | 1st Ballot. | 2d Ballot. | 3d Ballot. |
|---|---|---|---|
| Whole number of votes | 12 | 12 | 12 |
| Necessary to a choice | 7 | 7 | 7 |
| Angus Nelson | 6 | 6 | 7 |
| Richard Cook | 5 | 6 | 5 |
| Martin Russell | 1 | | |

On the third ballot Angus Nelson was declared to be elected in concurrence.

Aldermen Hawes and Richards were joined to the committee to nominate an Assistant Engineer of the Fire Department for East Boston.

The following orders were passed in concurrence:

Order to pay certain bills of members of the City Government.

Order for Committee on Water to consider the expediency of locating Lowry hydrants on the Church Street territory.

Order for repair of steam dredging machine at an expense of $3000.

Order for Committee on Public Buildings to consider the expediency of erecting a Police Station House in the Sixth District.

Order to refund $20 95 to Isaac Samuels, for error in purchase of tax title;—(referred to Committee on Claims.)

Ordinance to amend an ordinance in relation to streets (removal of ice and snow)—(referred to Committee on Ordinances.)

THE BURRILL CLAIM.

Alderman James submitted the following communication from the City Solicitor, in reply to the request of the Board:

*Sir:* In compliance with the order of the Board of Aldermen, passed the 23d ult., requesting me to inform the Board in regard to the present condition of the suit of Charles Burrill vs. the City of Boston, I have the honor to state that the suit is still pending in the Supreme Court of the United States, to which it was removed by Mr. Burrill, by a writ of error, soon after the verdict in favor of the city in the U. S. Circuit Court. It is not probable that the case will be reached for argument at Washington before the next term of the Court, in December next. Mr. Burrill's counsel have recently notified me that the suit will not be further prosecuted, and that no further effort will be made by Mr. Burrill, to recover the claim he makes, by any legal means.

Read once and placed on file.

ANNEXATION OF DORCHESTER.

A report was received from the Commissioners appointed to consider and report to the City Council on the subject of annexing a portion or the whole of the territory of Dorchester to the City of Boston.

The Commissioners refer to the previous measures in relation to the annexation of Dorchester, by Commissioners on the subject and petition to the Legislature, and remark:

Your Commissioners have carefully considered the subject intrusted to them. Assisted by an accurate map of Dorchester, made by the City Surveyor, showing its boundaries, water shed, harbor and river lines and streets, they have personally examined the territory. They have also held frequent conferences with an intelligent committee, appointed by citizens of that town, upon the bearings of the proposed annexation upon the separate interests committed to their charge. The substance of these opinions, with other information upon the financial, industrial and sanitary condition of the town, they give in the report.

As bad effects of past neglect, the commissioners deem it a misfortune of the city of Boston hitherto, to be governed by necessity rather than choice in the improvements which the advancing tide of business and population has rendered essential to the comfort and convenience of its citizens. Its peninsular situation, and the conformation of its territory interfered at the beginning, natural obstacles to the adoption of a uniform system of streets and squares, in which the element of space should have due consideration. They say further, that there was no effort made in its early history to surmount these obstacles, and we have before us at the present time in the widening of several of our public streets a conspicuous illustration of the statement that the past neglect had fixed upon the present generation the expense of adapting the streets to the uses of an overflowing population.

While the founders of the city were deficient in the first duty of their time in the laying out of streets on some regular plan, there is danger that we may render ourselves liable to the charge of a similar short-sightedness. The Commissioners make estimates of the prospective increase of population, based on the past

increase, in which they conclude as follows: in the year 1880, without accessions from annexation, 300,000; in 1890, 360,000, and upwards; in 1900, 450,000. Such a population they say cannot be compressed within the existing limits of the city. Some portions of it may find accommodations on the Back Bay, but a greater part will be obliged, if desirous of enjoying its privileges, to occupy South Boston or the Highlands. The Back Bay territory is limited and will continue to be occupied for a considerable time, at least, by the more wealthy class of our citizens.

South Boston, with its prospective extended area of filled land, it is believed, will become the seat of extensive manufacturing industries, with the freighting business of railroads. The Highlands are left, then, as the only territory on that side of the city accessible to persons who prefer to remain within the limits, and yet wish to avail themselves of the better sanitary condition of the suburbs. The importance of retaining the industrial classes of our community within the city limits, they say, cannot be overestimated. To retain such men, we must be able to give them land at moderate prices. They will always remain in the city if they can live as cheaply and comfortably as elsewhere, not only because the interests of their labor are here, but because of its better facilities of education, recreation, libraries, and other advantages which the metropolis affords. For these reasons the money invested in building up compact villages in the near suburbs should be applied within the limits of the city.

Much of the Boston capital invested in Chicago, New York and elsewhere, it is argued, should be invested here, but will not be so long as Boston maintains its present contracted limits. If the present state of things should be permitted to continue, the city will ultimately be left to the care of the very rich and the very poor. After referring to the continual encroachments of business upon population, and the annexation of Roxbury as a step in the right direction to meet the wants of the city for residences, it is said that timely provision should be made for the acquisition of territory of large capacity bordering closely upon the city, in the direction of the movement of population, best adapted to our existing system of water distribution, drainage, &c. The territory of Dorchester, it is believed, can be shaped at small expense for the healthful occupation of our increasing population, and this is described as follows:

"It has a large area of high land, well adapted for residences, and its situation is such that it can be easily and cheaply drained. Its north and west boundaries, following those of the city, intersect neighborhoods that have lived in common for generations. Indeed, so undefined and obscure are these limits, that a non-resident would find it difficult to tell where the territory of Dorchester begins or that of the city ends. These lines cut many streets at right angles, thus rendering impossible, in the existing state of things, any general and comprehensive system of street and sewerage improvement. It has a navigable harbor and river line on the east of about three miles in extent, and a continuous river line above, navigable to Lower Mills, and reaching to within a short distance of its southern limit, with valuable deep water at Commercial Point and Port Norfolk, affording sites for wharves, factories, ship yards, &c., unsurpassed by any in the vicinity of Boston. Vessels drawing from eighteen to twenty feet can come up to Commercial Point, and sixteen feet at high water to Port Norfolk. The Old Colony & Newport Railroad, with the passenger station in the town, runs within a quarter of a mile of the shore, crossing the river at Port Norfolk, from whence the Dorchester & Milton Branch Railroad runs near the river to Mattapan.

The Hartford & Erie Railroad passes through the entire territory with five passenger stations thereon, while the Metropolitan Railroad intersects the town with three distinct lines of track. The distance from the farthest station in the town to State street is accomplished in twenty minutes. The navigation of the river is closed for only about two months in the year by ice.

There are various important industries in different parts of the town that give employment to large numbers of its population, and they are represented to be in a prosperous condition. Nearly one-half of the population, it has been estimated do business in the city. Its streets are in good order, and the same may be said of its public buildings and other property, and the health of the town is as good if not superior to that of any other in the neighborhood of Boston."

The following statistics exhibit the number of its population, dwelling houses, legal voters, and other details, as also its financial condition:

Inhabitants, 12,000; dwelling houses, May 1, 1868, 1830; taxable polls, 2918; legal voters, 2100; churches, 13; schoolhouses of the larger class, 7; schoolhouses of the smaller class, 3; scholars, 2000; acres of land, 4532¾.

Valuation for 1868—

Real estate, $9,291,200 00; personal, $6,035,100 00.

Town debt, $147,700; cash on hand Feb. 1, 1869, and due from State and for taxes, $111,092 41; actual debt, $36,607,59.

Value of town property, $237,182 26.

Comparative statistics are given, showing the original area of uplands in Boston to have been 690 acres; present area 5370 acres; area of New York, 14,502; Philadelphia, 82,560; London, 74,070. The area of Dorchester is 4542 acres, which, with that of Boston, would make 9912. The increase of population in Boston from 1855 to 1865 was 19 83-100 per cent.; of Dorchester 28½.

The subject of centralization of wealth and population is treated upon, and in view of the facts, which cannot be controverted, it is argued to be the duty to accept the actual existing conditions, and provide by seasonable legislation for its natural, necessary and healthful expansion and distribution over a wider area into the beautiful suburbs which nature has so lavishly furnished for the purpose.

On the subject of drainage and harbor improvements, considerable attention is given by the Commissioners. They refer to the report of the Back Bay Commissioners to the City Council, City Document No. 81, 1863, in which to remedy the difficulty of deposits at the mouth of Charles river, it is suggested that Stony Brook be intercepted at or near Washington street, in Roxbury, and by a tunnel and sewer through Roxbury, the discharge of the brook be made into Dorchester Bay. The Governor, in his recent inaugural address, is quoted in relation to the filling up of the South Boston flats, and the Commissioners refer to a communication which they have obtained from the State Harbor Commissioners on the subject of drainage.

The question whether a part or the whole of Dorchester shall be annexed, is considered, with the reasons for each. After discussing these matters, they conclude, as follows:

"On the ground, therefore, of the necessity for a part, and the desirableness of the whole of the territory for the present and prospective wants of the city, the highly favorable financial, industrial and sanitary condition of the town, and paying due respect to the opinion and wishes of its inhabitants, your Commissioners report it to be their unanimous judgment that the whole of the territory should be annexed to the city of Boston without delay, and they respectfully recommend to the City Council that His Honor the Mayor be authorized to petition the Legislature on their behalf for an act to that effect."

The views of the Harbor Commissioners referred to are as follows:

Upon the general question on the expediency of enlarging the water front of the city, it would not be proper for this Board to express any opinion, as they have jurisdiction equally over the water front of Boston and Dorchester, and can take as efficient measures for the protection of navigation and the preservation of the harbor, whether the corporation limits are diminished or enlarged.

In regard to the matter of drainage, the Commissioners, desirous of furnishing such information as they could command, directed their engineer to examine into the subject of deflecting the drainage of Stony Brook from Charles river to Dorchester bay. The result of his examination have been communicated to the Board as follows:

The topography of the country of which Stony Brook is the natural drain does not admit of other relief for its water shed except at points near the mouth of said brook, at its confluence with Muddy river.

Between this general locality and the shores of Dorchester Bay the ground is low and level, and a drain or sewer carrying even a part of the flowage

of Stony Brook, at times of freshet, would have to be of large capacity and through expensive ground to occupy for this purpose. The distance from the nearest point of Stony Brook favorable for deflecting drainage to the present nearest shore of Dorchester Bay is about two miles—10,500 feet. The distance from the same point to Charles river is about one and a quarter miles—6500 feet.

The route most favorable or practical for a drain or sewer, turning Stony Broook into Dorchester Bay, passes just tangent to the township line of Dorchester, and is already within the limits of the City of Boston, near the head waters of South Bay, and would not therefore involve questions of municipal interest.

The physical bearing of the drainage from Stony Brook is a questionable one. As a tributary to Charles River it is of value. Its volume during a recent freshet was 400 cubic feet per second. The deposit from it as a sewer would be injurious, but its influences in comparison with the water volume of Charles River or with its mud deposit are of small proportion.

The report was laid on the table and ordered to be printed. It is signed by Charles R. Train, N. J. Bradlee and George A. Shaw, Commissioners.

FIRE ANNIHILATORS.

A communication was received from the North American and seventeen other insurance companies, expressing approval of the course of the City Council in placing fire annihilators in police stations and engine houses, upon which they remark, "Believing from past observation that with them at hand, many small fires which have resulted in large conflagrations might have been extinguished." Read and ordered to be sent down.

WATER RATES.

A communication was submitted from the Cochituate Water Board, relative to water rates to tenants in model lodging houses. The Board state that when the present rates were adopted, this class of houses were for the poorest families. The erection of a better class of houses for families in more favorable circumstances makes it necessary that there should be some change in the rates. They propose amendments to the ordinance, so that the rates for families may range from $3, the present rates, to $20, and where each tenement has a water closet, the price shall be $5 in place of $3 additional. Referred to the Committe on Water.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses to boys, as follows: one as a newsboy, and one each as a bootblack, to sell shoe lacings and to sell confectionery. Accepted.

Alderman White also reported in favor of licenses to sundry persons, as victuallers, as a keeper of a billiard saloon and to sell second-hand articles. Severally accepted.

Also a license to John H. Selwyn, to give theatrical exhibitions, to Daniel Hunt for a concert, and to the following-named persons for velocipede rinks:

Allen & Shapleigh, Horticultural Hall; Levi B. Gay & Co, 339 Washington street; John W. Douglass, Arlington Hall; John H. McGrady, 142 and 144 Broad street; Norris Fines, 204 Causeway street; Kimball, Brothers & Co., 115 Court street; Harvey Crocker, Lombard's wharf; Mackay & Butler, 94 Tremont street

The reports were severally accepted.

Alderman James, from the special committee to nominate pound-keepers and cullers of hoops and staves, made a report, recommending the appointment of the following named persons:

*Cullers of Hoops and Staves*—Lewis Beck, Benjamin Abbott.

*Pound-Keepers and Field Drivers*—Wm. D. Cook, S. E. Partridge, Henry Morse, Thomas M. Cotton, Maurice B. Rowe, Samuel McIntosh, Edward F. Mecuen, E. T. Hitchcock, Matthew R. Clark, J. M. Sweet, Wm. D. Getchell.

The report was accepted and the persons named were appointed.

The following appointments were also made:

*Inspector of Lime*—Andrew Abbott.

Alderman Fairbanks, from the Committee on Sewers, reported leave to withdraw on the petition of Nathan S. Maine, for an abatement of an assessment for a sewer on Putnam street, and no action necessary on the petition of M. Coley. Severally accepted.

An order directing the Superintendent of Sewers to construct a sewer in Tremont street, from Common to Warrenton street, was read twice and passed.

Alderman Fairbanks, from the committee to nominate candidates for Weighers and Inspectors of Lighters and other Vessels, made a report, which was accepted, and an election took place as follows:

| | |
|---|---|
| Whole number of votes | 12 |
| Necessary to a choice | 7 |
| Edward Hatch, Inspector-in-Chief | 12 |
| John Kenny | 12 |
| Abijah R. Tewksbury | 9 |
| Charles C. Davis | 8 |
| Daniel Mahoney | 4 |
| Wm. B. Maloney | 3 |

Messrs. Hatch, Kenny, Tewksbury, and Davis were declared to be elected, the last named in place of Mahoney, nominated by the Committee.

Alderman Bradlee, from the Committee on Ordinances, reported that the ordinance in addition to an ordinance in relation to the Overseers of the Poor, giving the Overseers the direction of the Charity Bureau building, ought to pass. Accepted and the ordinance was passed.

Alderman Talbot from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Talbot reported an order for the apportionment of the betterment assessed on Clement Willis, for the widening of High street. Passed.

NOMINATIONS OF FIRST ASSISTANT ASSESSOR.

Alderman Van Nostrand, from the Committee to nominate First Assistant Assessors, made a report, as follows, which was accepted and ordered to be sent down, and Monday next, 4½ o'clock, was assigned for the election:

Elbridge E. Fletcher, Benjamin F. Palmer, Abel B. Munroe, George D. Ricker, Michael Carney, Theophilus Burr, John Brown, Clement Willis, Christopher A. Connor, Joseph L. Drew, Joseph F. Huntress, James Dennie, Edward F. Robinson, James H. Tallon, Francis James, E. B. Spinney, L. Foster Morse, Joseph W. Dudley, Charles A. Davis.

ADDITIONAL APPROPRIATIONS FOR THE CITY HOSPITAL.

Alderman Baldwin, from the Joint Committee on the City Hospital to whom was referred the request of the Board of Trustees for an additional appropriation of $5000, to meet the ordinary expenses of the hospital during the remainder of the financial year, made a report in which the Committee say the necessity for the additional appropriation is set forth in the communication of the President of the Board, which is appended in print.

Referred to the Committee on Finance.

ADDITIONAL APPROPRIATION FOR THE HEALTH DEPARTMENT.

Alderman White, from the Committee on Health, submitted a report that there will be required an additional appropriation of $14,000, to meet the wants of the Health Department for the present financial year.

The excess of expenditures over amount appropriated has been caused as follows:

Ordered by Board of Aldermen, for which no estimate was made in the annual appropriations:

| | |
|---|---|
| For Drinking Fountains | $4,000 00 |
| Dredging Charles river at River street | 2,025 00 |
| Paving House Offal Yard | 1,500 00 |
| And by excess of amount required to pay laborers employed by the Department, and for collecting ashes in East Boston | 6,475 00 |
| Total amount required | $14,000 00 |

Referred to the Committee on Finance.

FREE CONCERTS.

Alderman Fairbanks, from the Joint Special Committee on the subject of Free Concerts, made a report that the appropriation which they were authorized to expend is exhausted, and that for the purpose of continuing the concerts for a few weeks longer they respectfully request an additional appropriation of $1000.

From the appropriation of $2500 made in December, the expenses of eleven concerts have been defrayed, making the average expense of each about $225. The anticipations of the public-spirited citizens who first called the attention of

the City Council to the subject of giving these entertainments, have been most fully realized. On every evening the hall has been filled, and frequently it has been necessary to close the entrances a considerable time before the entertainment commenced. The audiences have been in every instance orderly and decorous, and the character of the music furnished, both vocal and instrumental, has given general satisfaction.

These free concerts have been an experiment in this country, and the complete success which has attended them will, we believe, have a tendency to introduce a class of cheap entertainments for the laboring people, which will have a healthful and refining influence. In conclusion they recommend the passage of the following order:

Ordered, That the sum of $1000 be added to the appropriation heretofore made for free concerts, said sum to be charged to the appropriation for incidentals.

Read twice and passed.

NEW GRAMMAR SCHOOLHOUSE.

Alderman White, from the Joint Standing Committee on Public Instruction, to whom was referred the request of the School Committee for a new grammar schoolhouse in the Lyman district, made a report, as follows:

The present grammar schoolhouse in the district was erected in 1846, on land given to the city by the East Boston Company. The building cost less than $14,000, and contains only six regular schoolrooms, one of which is used for all the purposes of a wardroom for Ward One. In the annual report of the School Committee for 1864, it is stated that this building has long been complained of as inadequate in its accommodation, being antiquated in style, with two halls for exhibition purposes, badly located with regard to its proximity to other public buildings, and with insufficient access to light and air.

The average attendance of grammar school pupils in this district appears from the last returns to be 478—forming ten classes. Of this number, 213 pupils, comprising four classes, are accommodated in other buildings, namely: one class of fifty-six in the engine house on Paris street, and three classes in the primary school house on Webster street, in the Adams district. Those who attend the school on Webster street are obliged to walk a long distance from their homes, and cross a steam railroad track four times a day.

In 1867 this city purchased a lot of land on the corner of Paris and Decatur streets, containing 26,250 square feet, for the purpose of having erected thereon a new building which should contain accommodations for all the grammar scholars in the Lyman district. As the increase in the average attendance of grammar scholars in this district has been very slight during the past five years (461 in 1861 against 478 in 1869), the committee are of the opinion that a building containing twelve rooms and an exhibition hall will be large enough to accommodate the maximum number of pupils. The old building on Meridian street can be used for primary schools and ward meetings.

The committee recommended the passage of the following order:

Ordered, That the Committee on Public Buildings be requested to procure and submit to the City Council plans and proposals for erecting a Grammar School building on the lot of land owned by the city on the corner of Paris and Decatur streets; said building to be two stories in height, with a mansard roof, each story to contain accommodations for six classes, and the roof story to contain an exhibition hall; the plans to be approved by the Committee on Public Instruction; and the expense of procuring the same to be charged to the appropriation for Grammar Schools.

Referred to Committee on Public Buildings.

Alderman Talbot, from the Committee on Printing, to whom was referred the order directing the City Messenger to furnish to each member of the City Council one copy of Cushing's Law and Practice of Legislative Assemblies, made a report that the expense of furnishing a sufficient number of copies to supply each member of the City Council would amount to $337 50. They recommended the passage of the order in a new draft as follows:

Ordered, That the Committee on Printing be authorized to purchase a sufficient number of copies of Cushing's Law and Practice of Legislative Assemblies to supply the members of the City Council, the expense thereof not to exceed $337 50, and to be charged to the appropriation for incidental expenses.

Read twice and passed.

Alderman Talbot, from the Committee on Streets, reported an order giving notice to quit to the proprietors of Rowe's Wharf, the proprietors of other wharves, and to various individuals on the line of the proposed Atlantic avenue, also to the several other persons interested as owners, proprietors, tenants, occupants, or otherwise in said lands, to remove all obstructions on or before the 15th of May next, ensuing.

The order was passed.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the Board adopt and establish the revised grades of South Cedar street and South Cedar place, as shown on a plan made by the City Surveyor, dated Feb. 26, 1869, and deposited in the office of said City Solicitor.

On motion of Alderman White,

*Resolved*, That in the opinion of this Board, it is inexpedient to grant any licences, under the 26th section of the ordinances in relation to streets, for persons to stand in the streets for the sale of any articles, or for the transaction of any business therein.

Ordered. That his Honor the Mayor be requested to petition the General Court, now in session, in behalf of the Board of Health of the city of Boston, for the use and control of Rainsford Island for health purposes.

On motion of Alderman White, an order was passed for the abatement of a nuisance at No. 12 Salem street.

ORDERS OF NOTICE.

Orders of notice were adopted, as follows:

On the proposed widening of West street, northeasterly side. Hearing Monday, March 15, 4 P. M.

On the proposed widening of Boylston street, Hearing Monday, March 15, 4 P. M.

On the proposed widening of High street, corner of Federal street. Hearing Monday, March 15, 4 P. M.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## MARCH 4, 1869.

The regular weekly meeting of the Common Council was held at 7½ o'clock this evening, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petition of the Manufacturers' Exchange, that the city would indicate the terms and conditions upon which they may enjoy their franchise, was referred to the Committee on Streets with such as the Common Council may join.

The communication from the North American and other insurance companies, in favor of fire extinguishers being placed in public buildings, was ordered to be placed on file.

Subsequently, on motion of Mr. Jacobs of Ward Five, the vote was reconsidered, and it was referred to the Committee on Fire Department of the Common Council, with such as the Board of Aldermen may join.

The request of the Water Board for modification of water rates for model lodging houses, was referred to the Committee on Water in concurrence.

The communication of the Committee on Health for an additional appropriation of $14,000 to meet the wants of the Health Department for the remainder of the financial year; also the report on the request of the Trustees of the City Hospital for an additional appropriation of $5,000 to meet the expenses of the Hospital for the remainder of the financial year, were severally referred to the Committee on Finance.

The certificates of the appointments of Inspector of Lime, and of the appointment of Cullers of Hoops and Staves, Field Drivers and Pound Keepers, were severally concurred in.

The order to add $1000 to the appropriation heretofore made for free concerts was read once.

Mr. Crowley of Ward Seven moved a suspension of the rules, to allow the passage of the order at the present time.

Mr. Ingalls of Ward Twelve inquired how many concerts had been given, how many it was proposed to give, and how late in the season it was proposed to keep the matter up.

Mr. Rich of Ward Fourteen, of the Committee, replied that it was desirable to extend the concerts to about the 1st April. Four more concerts would be given, and possibly five, for there was a small balance on hand. The concerts had given the greatest satisfaction to all who had heard them. It would be recollected that they were given at the request of many of the largest taxpayers of the city, and the experiment was considered a very satisfactory one.

The motion for the suspension of the rules was carried, and the order was read a second time and passed.

The report and order authorizing the purchase of Cushing's Law and Practice of Legislative Assemblies was read once.

An ordinance in addition to an ordinance in relation to the Overseers of the Poor was read twice and passed.

The reference to Committee on Public Buildings of a report and order authorizing plans and proposals to be obtained for erecting a Grammar School building on the city lot corner of Paris and Decatur streets, was concurred in.

WEIGHERS AND INSPECTORS OF LIGHTERS.

The report of the committee to nominate candidates for Weighers and Inspectors of Lighters, was accepted, and the Council proceeded to an election.

Messrs. Flynn of Ward Seven, Wilkins of Ward Nine, and Poor of Ward Eleven, were appointed a committee to receive, sort and count the votes. The committee reported as follows:

| | |
|---|---|
| Whole number of votes | 50 |
| Necessary to a choice | 26 |
| Edward Hatch, inspector in chief | 43 |
| Wm. B. Maloney, " " | 2 |
| John Kenney | 33 |
| Abijah R. Tewksbury | 24 |
| Chas. C. Davis | 27 |
| Daniel Mahoney | 20 |
| Wm. B. Maloney | 22 |
| Wm. L. Battis | 26 |

Messrs. Hatch, Kenney and Davis were declared to be elected in concurrence, and Mr. Battis in non-concurrence.

The report of the committee nominating First Assistant Assessors was considered.

Mr. Rich of Ward Fourteen moved that the committee be discharged from the further consideration of the subject, and that a new committee be appointed to report this or a revised list for the action of the Council. The committee appeared not to be composed as usual, and their report did not give general satisfaction. Heretofore the committee from the Council had been composed of one member from each ward, with the whole Board of Aldermen joined.

Mr. Gray of Ward Twelve remarked that there was no other way for the nomination of Assessors except by the Committee on the Assessors' Department. That mode was fixed by city ordinance.

The Chair confirmed the views last stated, and ruled that the motion to nominate by a special committee could not be entertained. The report was accepted.

SALARY BILL.

The Salary bill was taken up as unfinished business.

Mr. Wadsworth of Ward Four moved to strike out from the end of the section relating to the Mayor's salary the provision adopted by the Board of Aldermen, allowing him the use of a horse and vehicle.

Mr. Wadsworth gave as reasons that if such a horse was provided as would be fitting for the Mayor, he would cost $500; one of Goddard's buggies would cost $600; and with the horse keeping and wear and tear the expense could not be less than $1700 for the first year. The hack hire which might be required would not cost more than $300, and this would make a saving of about $1500.

Mr. Keith of Ward Fifteen thought the amendment adopted by the Board of Aldermen was one eminently fitted to be made, and required by the dignity of the office. Several other officers were furnished with vehicles at the expense of the city, and when it is considered that the time of the Mayor is fully taken up by the duties of the office, it would be small business to require him to go about the city in cars and omnibuses.

The gentleman had gone into the matter as one of cost alone for this year, when it would be a matter of permanence, and the expense subsequently would not be so great. But such a consideration ought not to enter into the matter, which should be to provide a proper conveyance for the head of a great city, who should not be compelled to look after its interests in any sort of conveyance which might fall to his lot.

Mr. Ingalls of Ward Twelve thought the arguments of the gentleman with regard to dignity were against the object advocated by him. The furnishing of a carriage for the Mayor will be putting him on a par with the heads of Departments. Instead of having him drive his carriage round when it is necessary to go about the city, he believed it would be better to hire a carriage for him. This course would be much more dignified. The expense could not be less than $1000 a year.

Mr. Wadsworth further remarked that while the duties of the Mayor were mainly in-doors, those of the heads of departments required their constant visits to all portions of the city in the supervision of the work of their several departments.

Mr. Keith replied that the Mayor also was obliged to visit various portions of the city in the discharge of his duties, made much more onerous by the extension of the city limits, and it was desirable that he should frequently go about to see

that the duties of other officers were properly performed.

Mr. Nelson of Ward Nine thought there was much force in what the gentleman from Ward Twelve and the gentleman from the Highlands had said. To meet their views, he moved to strike out the amendment and appropriate $1000 for the carriage-hire.

Mr. Judson of Ward Fourteen opposed the last amendment, and hoped the amendment as passed by the Board of Aldermen would not be struck out.

Mr. Wadsworth doubted the propriety of the last amendment, and the right to make such an appropriation under the city charter.

Mr. Nelson modified his amendment by providing for an allowance of $500 for carriage hire, to be charged to incidental expenses.

Mr. Pickering of Ward Fourteen wanted to know, if it was against the city charter to vote $1000, how $500 could be voted. If any sum could be voted it seemed to him it would be well enough to have it a respectable sum.

Mr. Keith further opposed both of the amendments, and advocated the proposition as adopted by the Board of Aldermen.

Mr. Rich of Ward Fourteen raised the inquiry whether the provision of the Board of Aldermen was not in conflict with the city charter, and in the nature of an emolument?

Mr. Keith was of the opinion that it clearly was not.

Mr. Ingalls was of opinion that the providing of a horse and vehicle was an emolument. They might be used for any other than official purposes, and that would be in the nature of an emolument. It should be provided in the amendment that he shall be allowed the use of a horse and carriage while travelling about the city on official business.

Mr. Denny of Ward Ten looked upon this as penny-wise and pound-foolish legislation. The Mayor had been in the habit in the past to require carriage hire, and would be in the future.

Mr. Nelson withdrew his amendment.

Mr. Wadsworth did not think it necessary to make any change from the usual practice. The Mayor had been accustomed to call for a carriage when necessary, and he would continue to do so.

The motion to strike out was lost, 7 to 30.

The consideration of the several orders and sections was continued.

Mr. Rich of Ward Fourteen moved to strike out $5000 as the salary of the City Treasurer, and make it $4500, as originally reported. Lost.

Mr. Keith of Ward Fifteen made an inquiry relative to payments outside of the office of the City Solicitor, in examining titles. He had noticed in looking over the Auditor's report that payments were made for outside expenses, and it had occurred to him that with the assistance in the office of the Solicitor, the business of examining titles ought to be done by persons in the office.

Mr. Flanders of Ward Five, of the committee, said he could give no information on the subject.

On reaching the salary of City Physician, Mr. Ingalls of Ward Twelve said that in looking over the report, he found that, while as a general thing salaries had been increased, the salary of this officer had been reduced. He could not understand why there should be such a difference in policy.

Mr. Flanders said the office was a very desirable one for young men just entering upon practice, as the duties were not onerous, and took but little of the physician's time. The present incumbent went to the jail every Sunday, whether his services were required or not, but not often to other institutions.

Mr. Ingalls said if it was desirable to have a man of ability and science in the office, it was not good policy to cut down the salary. He moved to strike out $1500 and insert $2000.

Mr. Keith of Ward Fifteen said there was no doubt that the City Physician was a man of ability. There had been much strife for the office, and it was thought a desirable one by young men. He wished to take this opportunity to set himself right in the matter, and as it was known that he had been favorable to the present incumbent, and had spoken of his competitor as unfit for the office, he would say as openly that he had done injustice to him and regretted it. He had learned from those who were connected with him in the profession that he was a promising young man, and was much respected.

Mr. Ingalls said, if salaries were to be cut down because there was competion for office, there would be a lively time in the City Hall. There were many persons who would like to get office, and judging from the great number who were anxious to be elected Assistant Assessors, he should think that the places might be filled on this ground at fifty cents a day.

Mr. Wadsworth stated that it had been said there were considerable perquisites attached to the office. The City Physician is obliged to furnish vaccine matter to all physicians in the city, and although he may make charges to persons away to whom it may be sent, many of them get it for nothing.

Mr. Jenks of Ward Three inquired if it was any portion of the duty of the City Physician to attend upon the poor.

Mr. Wadsworth replied that he believed it was his duty to attend to all the poor who called at his office.

In reply to a further inquiry whether the poor who were able were not required to pay for vaccination, Mr. Wadsworth said he did not so understand it. Besides the duties of his office the City Physician is called upon to decide in cases of contagious diseases, and when the cholera was apprehended a few years since, he wrote a great deal and was consulted much on the subject.

The motion to amend was carried.

Mr. Flynn of Ward Seven moved to amend the salary of the Superintendent of Fire Alarms by allowing him the use of a horse and vehicle.

Mr. Ingalls of Ward Twelve wished to know if the vehicle would not answer for him and the Mayor too?

Mr. Wadsworth of Ward Four stated that the duties of the Superintendent were mainly in his office, and he could not see what he wanted a horse and vehicle for, unless it was for the purpose of riding up and down from the cupola.

The amendment was lost.

On motion of Mr. Gray of Ward Twelve, the salary of the Superintendent of Sewers was fixed at $2500, as reported by the committee.

On motion of Mr. Keith of Ward Fifteen, the salary of Superintendent of Faneuil Hall Market was fixed at $2000, as originally reported.

On motion of Mr. Dinsmore of Ward Two, the salary of the Deputy Superintendent of Faneuil Hall Market was raised to $1500.

Mr. Ingalls of Ward Twelve made an inquiry whether any one knew what the board of the Superintendent of the Boston Lunatic Hospital cost. No reply being made, he moved that the further consideration of the bill be passed over, that he might obtain information. Lost.

Mr. Jenks of Ward Three moved to raise the pay of Lieutenants of Police from $3 50 to $3 75 per day, and of Sergeants of Police from $3 25 to $3 50 per day. Carried, by a vote of 28 to 7.

Mr. Flynn of Ward Seven moved to raise the pay of detectives from $3 50 to $3 75 per day.

Mr. Ingalls of Ward Twelve opposed the amendment, stating that there are a large number of men who are applicants for the office of policemen.

Mr. Jenks said the officers were obliged to dress well, their duties were never ended, and they were always liable to have their heads broken.

The amendment was opposed by Mr. Ingalls, advocated by Mr. Judson of Ward Fourteen, and carried.

Mr. Jenks moved to make the pay of day and night officers of the Police Department $1200 per annum.

Mr. Denny of Ward Ten wished to know if the pay of policemen was not as large or higher than in other cities.

Mr. Jenks replied that the police officers of Cambridge and Charlestown were paid the same as were now paid in this city, while their expenses of living were not so great.

Mr. Denny further opposed the amendment, believing the pay of policemen was as high as those of men in other employments and higher than elsewhere, as was shown by a report previously made to the City Council.

Mr. Wells of Ward Three did not believe it would avail much to raise the pay of these officers in the Council, for it would be non-concurred in by the other Board. If the members were really desirous of doing justice in the matter, let them begin in the Department of Superintendent of Health and work up on the pay of those who were the poorest paid in the employ of the city.

Mr. Gray of Ward Twelve moved to amend by giving an increase corresponding with the increase of other police officers, and make the rate $3 25 per day. Lost.

The motion to make the pay of policemen $1200 per annum was carried, by a vote of 30 yeas to 14 nays, as follows:

Yeas—Bond, A. F. Cole, M. J. Cole, Conant, Davis, Dinsmore, Doherty, Flynn, Hall, Hopkins, Jacobs, Jenks, Johnston, Judson, Keaney, Kingsbury, Lucas, Malone, Nelson, Noyes, Pearson, Pote, Rich, Ryan, Talbot, Tucker, Vannevar, Wells, Wilkins, Young.

Nays—Braman, Denny, Frost, Gray, Ingalls, Keith, Learnard, Pickering, Poor, Richards, Rogers, Snow, Wadsworth, Woods.

Mr. Jacobs of Ward Five moved to increase the pay of officers of the City Prison to $3 75 per day. Lost.

The aforesaid orders were severally passed as amended.

On motion of Mr. Keith the further consideration of the Salary bill was postponed to the next meeting.

COMMUNICATION FROM THE MAYOR.

The President read the following communication from the Mayor:

BOSTON, March 4, 1869.

*To the City Council of the City of Boston:*

Considerable embarrassments constantly arise in the Boston Highlands, in the erection of wooden buildings, in consequence of restrictions which now exist by law, confining that portion of the city, in the same manner as the peninsula part, to the erection of such wooden buildings only as do not exceed sixteen feet in height.

I therefore respectfully ask permission to petition in your behalf the General Court, now in session, for such power as may be necessary to enable the City Council to authorize the erection of wooden buildings in the Boston Highlands, upon such terms and conditions, and subject to such limitations and restrictions, as you may deem expedient.

NATHANIEL B. SHURTLEFF, Mayor.

Mr. Keith of Ward Fifteen offered an order in accordance with the provisions of the communication of the Mayor, requesting him to petition the General Council for such power as may be necessary to enable the City Council to authorize the erection of wooden buildings in the Highlands on such terms and conditions, and subject to such limitations and restrictions, as they may deem expedient.

Mr. Ingalls stated that a bill had been sent to the Judiciary Committee for the very purpose desired.

Mr. Rich of Ward Fourteen said he had been informed by the gentleman who introduced the bill in question that it was desirable this petition should be presented to the Legislature.

The order was adopted.

PETITIONS PRESENTED AND REFERRED.

National Webster Bank, to be paid for lost coupon of city stock. Referred to Committee on Finance.

James Sturgis and others, for improvements in square at Dale and Bainbridge streets. Ordered to be sent up.

H. A. Phillips, for compensation for services of her husband. Referred to Committee on Claims.

Calvin F. Ellis, for compensation for injuries. Referred to Committee on Claims.

John Nevans and others, to be relieved from an assessment for a sewer. Ordered to be sent up.

Mr. Lucas of Ward Seven, from the Committee on Fire Alarms, submitted City Document No. 30, containing a request for an additional appropriation of $1000 to meet the ordinary expenses of the Fire Alarm Department during the remainder of the financial year. Referred to Committee on Finance.

REPORTS OF COMMITTEES.

Mr. Ingalls of Ward Twelve, from the Joint Standing Committee on Ordinances, to whom was referred the ordinance to amend the ordinance in relation to streets (the removal of snow and ice), with a proposed amendment to limit the provisions of the ordinance, made a report that in their opinion it would be inexpedient to adopt the proposed amendment. Accepted.

The question recurring on the amendments proposed by Mr. Keith at a former meeting of the Council, they were rejected.

Mr. Jenks of Ward Three moved a postponement of the consideration of the ordinance for one week.

Mr. Rich of Ward Fourteen stated that the ordinance was introduced several weeks since to remedy a defective ordinance, and that by delay much of the benefits to be derived from it had been lost. He hoped it would be passed tonight.

Mr. Jenks believed it to be unjust, and he wished delay that he might ascertain the provisions of similar ordinances in other cities.

Mr. Keith said he had misapprehended the question, supposing it was on the acceptance of the report. He repeated many of the objections urged by him on former occasions, against the passage of this ordinance It would be impossible for many persons in the outer wards to remove snow and ice as provided by this ordinance, and if ever the question should be raised the ordinance will be pronounced unconstitutional because unreasonable, and impossible to be enforced. It was proposed soon to annex Dorchester, and this was the inducement offered to the people, to require them in one hour to remove the snow and ice from long distances around some farms. It would be used by malicious persons to satisfy petty spite against their neighbors.

Mr. Ingalls said it would be impossible to frame any ordinance which would not apparently work unequally in some cases. He did not believe that any person would bring a malicious prosecution in such a case.

Mr. Keith, in his practice as a prosecuting officer, had known of such cases, and there were always those who wished the Commonwealth to fight their battles for them.

Mr. Rich of Ward Fourteen stated that as a matter of practice, the courts did not entertain complaints for violation of the city ordinances, unless they were made through policemen.

Mr. Keith replied that if they did not, they violated their duties. They were bound to receive complaints made by any one.

The previous question was moved and sustained, and a postponement was carried.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, to whom was referred the request of the School Committee, that the City Council would "restore the use of gas to the usher's room in the Brimmer School building," and introduce gas into the lower rooms of the Mayhew Schoolhouse, made a report as follows:

Gas fixtures were introduced in the room now used by the usher in the Brimmer Schoolhouse, when it was used for a ward room; when the ward room was removed, the supply was cut off.

The rooms in the Brimmer and Mayhew School buildings are so situated with regard to the admission of daylight that there can be no possible occasion for the use of gaslight during the school hours, and the Committee were not aware of any necessity on the part of teachers or pupils for the use of artificial light after school hours. In their opinion, therefore, it would be inexpedient to comply with the request of the School Committee.

The report was accepted.

The same committee, to whom was referred the petition of Samuel D. Bates, for the renewal of his lease of a part of the building, on Court street, known as the "Bridge estate," reported that in their opinion it is inexpedient to renew said lease. Accepted.

Mr. Richards of Ward Eight, from the Committee on Streets of the Common Council, to whom was referred the request of the Committee on Laying out and Widening Streets for an additional appropriation of $72,000, for the completion of grading, paving, &c., of Oliver street, made a report that the order ought to pass.

The Committee state that the expenses of grading Oliver street had been largely increased by the falling in of the banks on the sides of the cut; this street had been cut through under a special act of the Legislature. It was desirable that the work of removal of the earth and the grading should pro-

ceed without delay. It was a matter of doubt whether the additional expense could be assessed upon the abuttors, or whether they could be charged with interest on the temporary loan.

Mr. Flynn of Ward Seven moved that the order be laid on the table, expressing doubts whether there were members enough present to pass it. The motion to lay on the table was carried.

Mr. Nelson of Ward Nine raised the question as to the position of the snow and ice ordinance and the amendments of Mr. Keith.

The President stated that the amendments of Mr. Keith had been rejected before the motion was made for postponement by the gentleman from Ward Three.

Mr. Nelson of Ward Nine, from the Joint Special Committee to nominate candidates to fill vacancies in the Board of Overseers of the Poor, made a report recommending the election of the following-named persons to serve for three years:

James L. Little, George Fabyan, Francis E. Parker, Thomas Blasland.

The report was accepted and sent up.

Mr. Denny of Ward Ten was excused from serving on the Committee on the Music Festival, and Mr. Pickering of Ward Fourteen was appointed in his place.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## MARCH 8, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Four Grand Jurors and four Petit Jurors were drawn for the United States District Court.

APPOINTMENTS MADE AND CONFIRMED.

Sergeant Richardson A. Tewksbury, as Lieutenant of Police; William S. Kendall as Sergeant of Police.

William B. Bayley, Surveyor of Marble, Freestone and Soapstone.

Michael Farnham, Special Police Officer, without pay, for duty at the Old State House.

PETITIONS PRESENTED AND REFERRED.

J. A. & A. Smith, Malachi Clark, Benjamin Jones, Michael Gormley and G. H. Moseley, for leave to sprinkle certain streets in the city. Severally referred to the Committee on Health.

Milton Austin and others, for a sewer in Rockville place.

John Nevan and others, for abatement of assessment for a drain in rear of Winslow street.

Severally referred to Committee on Sewers.

Catharine Sullivan, to be compensated for injuries resulting in the death of her son, James P. Sullivan, occasioned by a fall on the Oliver street bridge.

Charles McCarthy, to be compensated for personal injuries caused by an improper location of a wire of the Fire Alarm apparatus.

Severally referred to the Committee on Claims.

B. S. Rotch and others, for the acceptance of the passage way between Commonwealth avenue and Marlborough street.

M. D. Ross and others, for a change in the direction of Atlantic avenue.

Nathan Matthews for the discontinuance of the street south of the Providence and Boston & Albany Railroads.

Severally referred to Committee on Streets.

Kimball Brothers & Co. and others, for the extension of the name of Tremont street through Sudbury street to Haymarket square. Referred to Committee on Paving.

Michael Quigley and others, that lamps be placed and lighted in Russell court (Highland District). Referred to Committee on Lamps.

Henry W. Crombie, for leave to run a line of coaches from South Boston over Dover street bridge to Eastern depots; also another line from the Highlands to the Chelsea Ferry. Referred to Committee on Licenses.

Mary Harrigan, for abatement of assessment for sidewalk on Cottage street.

Wm. A. Crafts and others, that Heath street may be put in order and improved for public travel.

Severally referred to the Committee on Paving.

Alonzo Bond for leave to give concerts at Boylston Hall on Monday evenings. Referred to Committee on Licenses.

C. E. King & Co. and others, that the name of Avon place be changed to Avon street. Referred to Committee on Paving.

Noah Lincoln and others, that a steamer or hose carriage may be located on Commercial street. Referred to Committee on the Fire Department.

NOTICES OF INTENTIONS TO BUILD.

Owen Nawn, Harrison avenue; W. B. Wadman, corner of Washington street and Union park; Grover & Baker Sewing Machine Co., corner of Washington and Waltham streets; John Cronin, corner of B and Federal streets; N. J. Bradlee, corner of Washington and Harvard streets; N. H. Emmons and others, trustees, No. 9 Temple place; J. B. Meserve, 135 Endicott street; J. F. Haynes & Co., Decatur, near Paris street; Jones Hickie, Fifth, between A and B streets; M. W. Parker, Fifth, between I and K streets; H. A. Doe, corner of D and Eighth streets; Hill & Wright, 145 to 157 Summer street; G. W. Meserve, 819 Washington street; C. H. Pitman, 238 Third street; D. H. Jacobs, 8 Province street; J. M. Adams, 7 Albany street; G. W. Pope, corner of Chauncy street and Avon place; Albert Brown, corner of Green and Pitts streets; Peterson & Goodwin, 77 Joy street.

COMMUNICATION RELATING TO TRUANT CHILDREN.

The following communication was read and referred to the Committee on Police:

*To the Honorable Mayor and Board of Aldermen:*

The undersigned, members of the Society of Saint Vincent de Paul, respectfully present the following for your consideration, and they trust the suggestion contained therein will meet the approval of your honorable body.

In the discharge of the duty imposed by the rules of our society, to visit the poor, so that we may learn their actual condition, our attention has been called to the large number of children who are habitual absentees from school,—thus permitted to grow up in ignorance, viciousness and often in crime. Some have parents whose own irregular lives render them indifferent to the well-being of their children, but there are many others compelled to remain from school to gather food or fuel, or to do whatever else they can to help their distressed families.

Satisfied that no greater service can be done those poor children than to withdraw them from this vagabond life which leads so many to the criminal's dock, we have resolved to make it our special care. To this end, therefore, aid shall be generously given to those who agree to send their children regularly to school.

In the accomplishment of this work, your honorable body can render much assistance by not confining the selection of truant officers to a class of men who, however well suited they may be in other respects, are deficient in a very necessary qualification, namely, a knowledge of the people with whom they principally have to deal.

Our purpose is not to censure or to find fault unnecessarily, but to point out where a change is greatly needed, and would be, if made, beneficial to the entire community. That the truant law fails to produce any good result, is undeniable. H. K. Oliver (State official) unhesitatingly declared it at a Convention of School Superintendents held recently in Boston. Nor can it be otherwise, as it is at present enforced. All that is done by the officers (and it is all that seems to be required of them) is to look after some special case when so directed by a teacher.

Yet there are scores of children who may be seen daily about the streets during school hours, who scarcely ever enter a school, and of whom the teachers have no record whatever. These are the neglected ones, who need to be cared for. With this object in view, and not in a spirit of selfishness, we ask for the appointment of some intelligent, sensible men, from among our people, men who best know our poor, who understand the difficulties with which they have to contend, and who, acting in concert with our charitable organizations, would labor earnestly and conscientiously to secure the real purpose of the law—the prevention of truancy rather than the punishment of delinquents.

Should there be any difficulty in making the desired change, we would respectfully urge that one at least be appointed for those localities where those people chiefly reside. This would enable your honorable body to judge of the propriety and wisdom of complying with our request.

GEO. E. MURPHY,
President of St. Peter and St. Paul's Conference.
JOHN W. McDONALD
President of St. James, Conference.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the order of notice relative to assessment of betterments for the opening of Avon place was taken up by assignment.

Samuel E. Sewall appeared on behalf of Hon. Richard Fletcher, who, he said, had always opposed the opening of the street on account of disturbing the quiet of his residence there. A deed was presented of the premises dated 1826, on which Mr. Sewall argued that the place was laid out for the sole use of the owners of property therein, who also had the use of an open lot at the foot of the place.

Judge Fletcher hoped to have spent the remainder of his days there, and had been much annoyed by the noise in the opening of the place, greatly to the injury of his health. Rather than to be assessed for betterments, he contended that Judge Fletcher should be entitled to damages.

A. S. Wheeler said he appeared with F. W. Lincoln, Jr., for the Second Church, but as the matter would probably be recommitted, they would appear before the committee.

The report was recommitted.

The order of notice on the proposed widening of West Cedar street by taking land on the easterly side, between Revere and Phillips streets, was taken up. No person appearing in relation thereto, the report was recommitted.

The order of notice on the proposed widening of Bennet avenue was taken up.

A remonstrance against the proposed widening was presented from the heirs of Joshua Bennett and others, setting forth that there was no exigency calling for the widening of the avenue; that there was little travel through it, except by school children; and that it would injure rather than increase the value of property, except of those individuals who were urging the carrying out of the project.

Wm. W. Warren appeared for the remonstrants. He said he had desired to hear an argument in favor of the measure before saying anything against it. In signing the remonstrance he wished it to be understood that he would not oppose any measure designed for the public good, and when he signed this, was told that the proposed widening was for a private purpose only. The petition in favor of it was signed about a year ago. One of the petitioners purchased an estate on the avenue some months since and had covered it with a building, which he did not doubt required more air.

In his view there was a much greater call for the widening of other streets at the North End than there was for this widening. It appeared that there were but four owners of property on the avenue who were in favor of it, and he doubted whether there was any necessity for the widening.

Several estates would be ruined by the amount of land which would be taken, and he doubted whether the abuttors would be benefited in the slightest degree. One of the original petitioners is now represented in the ownership of property by one who is a remonstrant.

John C. Tucker appeared for petitioners, and on reading the petition stated that it included all of the abuttors on one side, and most of those on the other side. The petition of the School Committee of the district and of teachers in the Hancock School was also read. There were only three abuttors who opposed the widening, and there was one owner who was in favor of the measure, but who would sign neither the petition nor remonstrance.

The buildings to be cut off are of little value, and on account of the narrowness of the avenue—but six feet in width—children are inconvenienced in going through the place, and the abuttors are required to carry the snow to either extremity. Teams cannot come in for the removal of the swill and ashes, and a communication was read from the Health Department, favoring the widening on that account.

James Alden, owner of an estate on the avenue, made representations of the inconveniences attending the narrowness of the place, in getting in wood and coal and the removal of snow. At the present time, there was an unoccupied space for nearly half the length of the avenue, and before a great while the inconveniences must be greater in occupying this space, much to the obstruction of light and air, and to the detriment of the health of the people living therein.

The report and papers were recommitted.

AUDITOR'S MONTHLY EXHIBIT.

The Monthly Exhibit of the Auditor was presented, giving an exhibit of the general and special appropriations for the present financial year of 1868-69, as shown in the books in his office, March 1, 1869, including the March draft, being eleven months' payment of the financial year, exhibiting the original appropriations, the amount expended, and the balances of each unexpended at that date. The recapitulation is as follows:

| | Appropriations, Revenues, etc. | Expended. | Unexpended. |
|---|---|---|---|
| General... | $7.138,356 73 | $5,938,094 49 | $1,200,262 24 |
| Special.... | 5,683,747 08 | 2,925,193 74 | 2,758,553 34 |
| | $12,822,103 81 | $8,863,288 23 | $3,958,815,58 |

COMMUNICATION FROM THE BOARD OF ENGINEERS.

A communication was received from the Board of Engineers of the Fire Department, in reply to an inquiry of the Board of Aldermen, relative to the erection of wooden buildings. The Board state that the recommendations of the Board of Aldermen have been fully complied with by the sending of a printed circular to all the builders, contractors and architects of the city. They further state that they have no reason to believe that the requirements of the law have been violated since such action was taken. The communication was ordered to be printed.

UNFINISHED BUSINESS.

The following orders were read a second time and passed.

Ordered, That the City Treasurer be and he is hereby directed to abate the bill of $36 against Sarah H. Brown for edgestones furnished by the city in front of her estate, No. 59 Mount Pleasant avenue, she being unable to pay said bill.

Ordered, That the Superintendent of streets be directed to construct a sewer in Tremont street, from Common to Warrenton streets.

COMMON COUNCIL PAPERS.

The several petitions of H. A. Phillips and of Calvin F. Ellis, for compensation for services and injuries, were referred in concurrence.

The notice of appointment of Henry W. Pickering on the Musical Festival Committee, in place of George P. Denny, resigned, was placed on file.

The election of one Weigher and Inspector of Lighters was taken up, and ballotings took place as follows:

| | 1st ballot. | 2d do. |
|---|---|---|
| Whole number of votes..... | 12 | 12 |
| Necessary to a choice..... | 7 | 7 |
| Abijah R. Tewksbury..... | 4 | 5 |
| W. B. Maloney..... | 6 | 6 |
| Wm. L. Battis..... | 2 | 1 |

Alderman Pratt said it was the opinion of persons competent to judge, that Mr. Maloney was the proper person to be elected to the office.

Alderman Seaver said it should be stated in behalf of Mr. Tewksbury that he was the proper man to be elected, an honest and straightforward man with nine years' experience in the office.

The third ballot resulted in a choice as follows:

| | |
|---|---|
| Whole number of votes..... | 12 |
| Necessary for a choice..... | 7 |
| Wm. B. Maloney..... | 7 |
| A. R. Tewksbury..... | 5 |

Mr. Maloney was chosen in non-concurrence with the Common Council, which made choice of Mr. Battis.

The request of Committee on Fire Alarms for an additional appropriation of $1000 was referred to the Committee on Finance, in concurrence.

Aldermen Richards, Seaver and Hawes, the Committee on the Fire Department, were joined to the committee to whom was referred the communication of officers of insurance offices, commending the action placing fire extinguishers in station houses and other places.

The report of Committee on Nomination of Overseers of the Poor was accepted in concurrence, and an election resulted as follows:

| | |
|---|---|
| Whole number of votes..... | 12 |
| Necessary for a choice..... | 7 |
| James L. Little..... | 12 |
| Francis E. Parker..... | 12 |
| Thos. Blasland..... | 12 |
| George Fabyan..... | 12 |

The report inexpedient to renew lease of Samuel D. Bates in the Bridge estate; also report inexpedient to introduce gas into certain rooms in the

Brimmer and Mayhew Schoolhouses were accepted in concurrence.

The order requesting the Mayor to petition the Legislature respecting the erection of wooden buildings in the Highlands was adopted, in concurrence.

REPORTS OF COMMITTEES.

Alderman Richards, from the Committee on the Fire Department, reported a license for the sale of petroleum, to Smith & Merrill, Liberty square. Accepted.

Alderman James, from the Committee on Paving, on the petition of Wm. McGuire for leave to box around his estate at the corner of Harrison avenue and Rochester street, reported that leave be granted. Accepted.

Alderman White, from the Committee on Licenses, reported in favor of the application of Co. D, first regiment, M. V. M., to give an entertainment at Institute Hall, March 9th. Accepted.

Alderman White also reported in favor of licensing four newsboys and one boy as a bootblack; also in favor of sundry persons as innholders, victuallers, wagon licenses, billiard saloons, and for sale of second-hand articles. Severally accepted.

Also leave to withdraw, which was accepted, on petition of Emanuel Axon, for a fruit stand at No. 59 Court street.

Velocipede rink licenses were granted, as follows:

T. Q. Loud, 84 Springfield street; D. F. Comee, 761 Washington street; W. T. Pindall, 121 Haverhill street; Flack & Delano, 1557 Washington street; John H. Whicher, 3 Bowdoin square; J. H. Grant 9 Harrison avenue; B. S. Wright, 83 Court street; W. P. Sargent & Co., 47 Hanover street; E. L. Eastman, 65 Hanover street; Geo. P. Cole, corner of Broadway and B streets.

Alderman Hawes, from the Committee on Steam Engines, on the petition of Samuel West, for leave to erect and use a steam engine at No. 7 Avon place, reported that leave be granted. Accepted.

Alderman Talbot, from Committee on Streets, reported no action necessary on sundry notices of intentions to build. Accepted.

Alderman James, from the Committee on Public Lands, to whom was recommitted the petition of Jarvis Williams, for extension of time for building upon a lot of land on Harrison avenue, recommended the passage of the accompanying order:

Ordered, That the time for erecting and completing a building upon a lot of land on Harrison avenue, sold by the City of Boston to Edward Gallagher, August 30, 1867, and which was to be improved with buildings erected thereon within two years from said date, be extended to August 30, 1871, upon condition that the present owner thereof pays to the Superintendent of Public Lands the sum of $300 within ten days from the passage of this order.

Read twice and passed, and sent down for concurrence.

Alderman James, from the same Committee, made a report as follows:

The Committee respectfully represent that applications have been made for the purchase of the land on Brookline and Pembroke streets known as a reserved lot, the same having been set apart by the city in 1849 for school purposes. Since then other lots have been taken for the erection of schoolhouses on Waltham, Springfield and Northampton streets, and last year a lot was purchased on Newton and Pembroke streets for the Normal School, being nearly opposite to the above lot. Believing that the city does not require said land, the Committee recommend the passage of the following order.

Ordered, That the land on Brookline and Pembroke streets, known as a reserved lot, be and the same is hereby placed in charge of the Committee on Public Lands.

Read twice and passed and sent down for concurrence.

Alderman Hawes, from the Joint Standing Committee on Water, who were directed to consider the expediency of placing the Lowry hydrants in the Church street district, reported that after a careful examination of the whole subject, they are of the opinion that the efficiency of the Fire Department would be greatly promoted by the introduction of the Lowry hydrant, and they therefore recommend the passage of the accompanying order:

Ordered, That the Cochituate Water Board be requested to introduce the Lowry hydrants where the water pipes are laid on the Church street district.

Read twice and passed, and sent down.

Alderman Richards, from the Joint Committee on Public Buildings, to whom was referred the order assigning for the use of the Cochituate Water Board so much of the land purchased for the police station in Ward Fifteen as is not required for the use of the same, made a report, in which they state that the lot contains 3421 square feet of land. As this land is to be used entirely for the Water Department, it is proper that the amount paid for it should be included in the expenses for furnishing water, and should be paid for as a part of the cost of the Water Works. They therefore report the order in a new draft as follows:

Ordered, That so much of the land belonging to the city as was purchased for the use of the Police Station now being erected in Washington street, in Ward Fifteen, as is not required for the use of the same, be and the same is hereby assigned for the use of the Cochituate Water Board, said Board to pay the cost of said land, and the amount received therefor to be credited to the appropriation for Police Station, Ward Fifteen.

Read twice and passed.

EXTENSION OF BROADWAY.

Alderman Talbot, from the Committee on Streets, reported a resolve and orders for the extension of Broadway from Federal street to Albany street, in accordance with plans heretofore proposed, specifying the land to be taken, and concluding as follows:

And whereas, due notice has been given of the intention of this Board to take the said parcels of land for the purpose aforesaid, as appears by the return hereunto annexed, it is therefore

Ordered, That the parcels of land before described be, and the same hereby are, taken and laid out as a public street or way of the said city, according to plans of the said street made by Thomas W. Davis, City Surveyor, numbered respectively 1 and 2, each bearing date May 1, 1867, and deposited in the office of the said City Surveyor. And this Board doth adjudge, that the expense of extending the said Broadway as aforesaid, will amount to the sum of two hundred and twenty-six thousand five hundred eighty-six and seventeen one-hundredths dollars; and that the damages to the estates, parts of which are taken as aforesaid, are the sums set against them respectively on the schedule hereto annexed.

Ordered, That the Treasurer be, and be hereby is, authorized to borrow, under the direction of the Committee on Finance, the sum of five hundred and fifty thousand dollars, the same to be appropriated for the extension of Broadway, from Federal street to Albany street, including all necessary bridges and structures.

The orders were read once.

ORDERS ADOPTED.

Ordered, That the Superintendent of the Market be authorized to employ, subject to the approval of the Mayor, one deputy to assist him in the discharge of the duties of his office.

Ordered, That there be paid to John Colligan the sum of $450, in full compensation for all damages done to his estate in the rear of 554 Shawmut avenue, by the raising of the grade of said avenue, upon his proving his title to said estate to the satisfaction of the City Solicitor, and upon his giving to the city an acquittance and discharge for all damage, costs and expenses, on account of the raising of said grade; the same to be charged to the appropriation for raising and grading Shawmut avenue and Ruggles street.

On motion of Alderman Talbot, an order was adopted, for the widening of Devonshire street, giving notice to quit to George Howe, Frederick O. Prince, Wm. W. Tucker, Seth E. Sprague and others, on or before 18th May next.

Aldermen White, James and Richards, with such as the Common Council may join, were appointed a committee to nominate candidates for Consulting Physicians.

ORDERS OF NOTICE.

Alderman Hawes, from the Committee on Steam Engines, reported an order of notice, which was adopted, for a hearing on petition of Badger & Batchelder, for leave to use a steam engine in their building at the corner of Cambridge and Charles streets. Hearing Monday, March 29, 4 P. M.

Also a hearing March 29, 4 P. M., on petition of the American Steam Guage Company, for leave to place an engine in their factory, No. 5 Lindall street.

On motion of Alderman Talbot, an order of notice on the proposed widening of High and Summer streets, at their junction. Hearing Monday, March 22, 4 P. M.

Also, on the proposed widening of Congress street, at the corner of Milk street. Hearing Monday, March 22, 4 P. M.

GRADING OF STREETS ON FORT HILL.

Alderman Talbot, from the Committee on Streets, reported an order of notice, which was adopted, to all parties interested in the several streets on Fort Hill, for a hearing on Monday, March 22, at 4 P. M., that the Board proposes action as follows:

The widening and grading of Hamilton street on the westerly side thereof; that Sturgis street should be laid out about fifty feet in width, between Pearl and Broad streets, and graded; that Hartford street should be laid out about fifty feet in width between Sturgis place and Broad street, and graded; that High street, between Pearl and Oliver streets, should be widened on the southeasterly side, and graded; that Washington square should be graded; that Washington avenue, between Washington square and Purchase street should be widened and graded; that Purchase street, between Pearl and Broad streets, should be widened and graded; that Cushing street should be laid out about fifty feet in width, between Washington square and Broad street; that Wendall street should be graded, all in accordance with plans in the office of the City Surveyor.

ELECTION OF FIRST ASSISTANT ASSESSORS.

The election of First Assistant Assessors was taken up.

Alderman Van Nostrand stated that the name of Charles E. Grant was left off the list because he had removed from the city, and he was authorized to withdraw the name of Charles A. Davis in favor of George F. Williams.

The result of the election was as follows:

| | |
|---|---|
| Whole number of votes | 12 |
| Necessary to a choice | 7 |
| Elbridge E. Fletcher | 12 |
| Benjamin F. Palmer | 12 |
| Abel B. Munroe | 10 |
| George D. Ricker | 10 |
| Michael Carney | 8 |
| John Brown | 12 |
| George F. Williams | 10 |
| Christopher A. Connor | 12 |
| Joseph L. Drew | 11 |
| Joseph F. Huntress | 9 |
| James Dennie | 12 |
| Edward F. Robinson | 12 |
| James H. Tallon | 11 |
| Francis James | 12 |
| E. B. Spinney | 11 |
| Otis Rich | 12 |
| Artemas R. Holden | 12 |
| Geo. A. Shaw | 9 |
| L. Foster Morse | 10 |
| Jos. W. Dudley | 7 |
| Chas. E. Grant | 6 |
| Clement Willis | 4 |

Theophilus Burr, Wm. H. McIntosh, Charles A. Davis, and Edward F. Hunting, one each.

Mr. Dudley, although having votes sufficient for a choice, was declared to be not elected, nineteen other persons constituting the full number of the Board having more votes than Mr. Dudley.

ANNEXATION OF DORCHESTER.

On motion of Alderman Van Nostrand the report of the Commissioners on the Annexation of Dorchester, City Document No. 28, was taken from the table, and referred to a joint special committee.

Aldermen Van Nostrand and Bradlee were appointed on the part of the Board of Aldermen.

Adjourned to Tuesday, 7½ o'clock P. M.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## MARCH 11, 1869.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, Wm. G. Harris, the President, in the chair.

A motion was made that the reading of the records be dispensed with.

Mr. Snow of Ward Eleven hoped that this kind of farce would not be continued at every meeting. He moved an amendment to the rules to obviate the necessity of such a motion every evening.

Mr. Ingalls of Ward Twelve raised a question of order, that the motion was not germane to the question under consideration.

The Chair ruled that the point of order was well taken.

The reading of the records was dispensed with, in accordance with the usual practice.

PAPERS FROM THE BOARD OF ALDERMEN.

Petitions from the Board of Aldermen were referred in concurrence.

The Auditor's Monthly Exhibit, March 4, City Doc. No. 29, was ordered to be placed on file.

Messrs. Richards of Ward Eight, Young of Ward One, and Jacobs of Ward Five, were joined to the Committee on the report of Commissioners on the annexation of Dorchester.

The election of an Assistant Weigher and Inspector of lighters and other vessels was taken up, and Messrs. Denny of Ward Ten, Snow of Ward Eleven, and Hobbs of Ward Fifteen, were appointed a committee to receive, sort and count the votes. The committee reported as follows:

Whole number of votes.....51
Necessary to a choice.....26
Abijah R. Tewksbury.....23
Wm. B. Maloney.....21
Wm. L. Battis..... 7

Mr. Hall of Ward One said he wished to say a word in favor of the nominee of the Committee, Mr. Tewksbury. That gentleman had several years' experience in the office, was in fact the projector of it, and was in every way competent to fulfil its duties.

The second ballot resulted as follows:

Whole number of votes.....55
Necessary to a choice..... 28
Abijah R. Tewksbury.....34
William B. Maloney.....21

Mr. Tewksbury was declared to be elected, in non-concurrence.

The following orders were passed in concurrence:

Order placing a reserved lot on Brookline and Pembroke streets in charge of Committee on Public Lands.

Report and order extending time to August 30, 1871, for Jarvis Williams to build on a lot on Harrison avenue, purchased by him of the city.

The report and order assigning to Water Board so much of the land in Ward Fifteen, purchased for the Police Station now being erected, as is not required for said Station, were read once.

The report and order requesting the Water Board to introduce the Lowry hydrants when the water pipes are laid in the Church street district being under consideration, Mr. Wadsworth of Ward Four moved to amend by providing that the expense thereof shall be charged to the appropriation for raising the Church street territory, stat- in advocacy of the motion that he could see no reason why the expense should be charged to the water department. The new pipes which were to be laid in that district were to be charged to the appropriation for the district, and there should be no difference between the two.

The amendment was adopted, and the order was read once.

ELECTION OF OVERSEERS OF THE POOR.

Messrs. Jacobs of Ward Five, Squires of Ward Eight and Emerson of Ward Six, were appointed a committee to receive, sort and count the votes. The committee reported as follows:

Whole number of votes.....54
Necessary to a choice.....28
James L. Little.....53
Francis E. Parker.....53
Thos. Blasland.....54
George Fabyan.....50

Benjamin Lucas 3, E. W. James, John Dacey and Geo. P. Darrow, one each.

Messrs. Little, Parker, Blasland and Fabyan were declared to be elected in concurrence.

Messrs. Batchelder of Ward Four, Gray of Ward Twelve, Davis of Ward Thirteen, Keany of Ward Two and Pote of Ward One were joined to the Committee to nominate Consulting Physicians.

ELECTION OF FIRST ASSISTANT ASSESSORS.

Mr. Wilkins of Ward Nine moved that the Council proceed to the election of First Assistant Assessors.

Mr. Richards of Ward Eight moved that the certificate of election be laid on the table, and that the subject be specially assigned to Thursday evening next, at eight o'clock. Lost, 26 to 28.

The vote to proceed to an election was carried, by a vote of 26 to 24.

Mr. Hopkins of Ward Ten said he was authorized to withdraw the name of E. F. Hunting.

Mr. Keith of Ward Fifteen wished to say a word on the subject. There were nineteen Assessors to be elected, which would give one for each ward, and a surplus to be divided among the larger wards. In the election by the Board of Aldermen but one had been chosen from Roxbury, while that section was justly entitled to three.

Mr. Keith stated that Mr. Grant of Ward Fourteen was on the Board last year, and discharged his duties with much acceptance. Mr. Dudley of Ward Fifteen, who was also a candidate, was Treasurer and Collector of Roxbury for many years, and was more popular in that section, and had a better acquaintance with the property and the people than any other person in nomination. These persons were eminently fit for the office, while no other persons out of that section could be as suitable for those wards. He hoped that in voting, members would remember these names and vote for them. It had been stated that Mr. Grant had removed from that section. This was not true, for he was living where he had been for several years.

Messrs. Wilkins of Ward Nine, Braman of Ward Six, and Batchelder of Ward Four were appointed a committee to receive, sort and count the votes.

Mr. Judson of Ward Fourteen said he had no objection to Mr. Grant, but he wished to present the name of Wm. H. McIntosh, as an exceedingly suitable person for the office.

Mr. Batchelder of Ward Four said it had been reported that Theophilus Burr had declined to be a candidate. This was not so, for Mr. Burr had never authorized any one to withdraw his name.

Mr. Wells of Ward Three said that instead of such a story being current it was on the other side, in which it had been circulated falsely that Artemus R. Holden was not a candidate.

Mr. Batchelder replied that three Aldermen had told him that they were assured Mr. Burr was not a candidate.

Mr. Rich of Ward Fourteen did not wish to have a candidate for Ward Fourteen named by a gentleman not a resident of the ward. All persons living in the ward were in favor of Mr. McIntosh. Every ward in the city should be represented by one First Assistant Assessor; some of the wards have three, elected by the other board, while others had none at all. Our duty should be to elect one man for each ward, and there would be lets four more for the larger wards. He had nothing to say against Mr. Grant, but Mr. McIntosh had seen several years' service as an Assessor in Roxbury, and was a preferable candidate.

Mr. Wadsworth of Ward Four said there were ten tickets before him, containing nineteen names on each, 190 in all, and he had had no time to look over them and pick out such as were the most suitable. He was in hopes that the election would be postponed, and if so, arrangements could be made which would secure a much more satisfactory selection of candidates and more equally distributed in the several wards.

Mr. Flynn of Ward Seven raised the question that the gentleman was out of order.

The Chair ruled that the question of the candidates, but not of postponement, might be discussed.

Mr. Ingalls of Ward Twelve stated that the Council had ordered the election.

Mr. Wilkins of Ward Nine moved a reconsideration of the vote ordering an election. Carried, 27 to 26.

Mr. Wadsworth moved to postpone and assign the election to Thursday evening next, at 8½ o'clock.

Mr. Crowley of Ward Seven moved to lay the motion on the table, and subsequently withdrew it, when the question recurred on the motion to proceed to an election.

Mr. Denny of Ward Ten spoke of the importance of the election, and of the necessity of obtaining the best man for the office. He knew but few of the candidates, and believed it would be better to postpone, when the members could inform themselves and come prepared at the next meeting to make the best choice. The Southern District had but one Assessor elected by the other branch, and if he was a resident there he should not be satisfied with such a result.

Mr. Jenks of Ward Three wished to inquire if the design was to call a caucus and settle the question of nominations as it had been in other cases. If so he would prefer to go into an election at this time.

Mr. Denny said he did not know anything about a caucus, and, if there was, should not attend it, for he should be a thousand miles or more away at the next meeting of the Council.

Mr. Jenks wished to know if caucuses had not been called in other cases?

Mr. Ingalls of Ward Twelve hoped the vote would be taken tonight, to get rid of being pulled about here and there. Everybody has had an opportunity to ascertain who the candidates are, and can vote as intelligently now as a week hence.

The yeas and nays were ordered, and the motion to proceed to an election was carried by a vote of 30 to 25 as follows:

Yeas—Bond, A. F. Cole, M. J. Cole, Conant, Crowley, Davis, Dinsmore, Doherty, Flanders, Flynn, Gray, Hall, Ingalls, Jacobs, Jenks, Judson, Kenny, Keith, Kingsbury, Lucas, Malone, Mullone, Noyes, Pearson, Rogers, Ryan, Wells, Wilkins, Woolley, Young.

Nays—Batchelder, Belknap, Braman, Butler, Denny, Emerson, Frost, Gay, Going, Hobbs, Hopkins, Johnston, Leonard, Nelson, Osborn, Pickering, Poor, Rich, Richards, Snow, Squires, Talbot, Tucker, Vannevar, Wadsworth.

The committee to count the votes reported the result as follows:

Whole number of votes, 56; Necessary to a choice, 29; Elbridge E. Fletcher, 49; Benjamin F. Palmer, 42; Abel B. Munroe, 42; George D. Ricker, 44; Michael Carney, 35; John Brown, 42; Cristopher A. Connor, 49; Joseph L. Drew, 40; Joseph F. Huntress, 43; James Dennie, 38; Edward F. Robinson, 43; James H. Fallon, 27; Francis James, 50; E. B. Spinney, 40; L. Foster Morse, 36; George F. Williams, 46; Otis Rich, 37; Artemas R. Holden, 31; George A. Shaw, 13; Clement Willis, 18, Joseph W. Dudley, 51; Theophilus Burr, 33; William H. McIntosh, 20; Charles A. Davis, 9; Charles E. Grant, 23.

George W. Ball, E. F. Hunting, Asa Messer, three each; F. S. Carruth, Jerry Brigham, Colman Cook, E. W. James, John Dacey and N. H. Tucker, one each.

All of the above who received the required vote, except Messrs. Dudley and Burr, were declared to be elected in concurrence, and these two in non-concurrence, Mr. J. H Fallon and Geo. A. Shaw, elected by the Board of Aldermen, failing to secure an election in the Council.

UNFINISHED BUSINESS.

The order authorizing the purchase of "Cushing's Law and Practice of Legislative Assemblies" was passed in concurrence.

The Committee on Streets on the part of the Common Council was joined to the Committee of the Board of Aldermen on the petition of the Manufacturers' Exchange, in relation to the terms and conditions of their franchise.

The order authorizing the Treasurer to borrow $72,000, to be added to the appropriation called the Oliver Street Temporary Loan, printed City Document No. 23, 1869, was taken from the table, read a second time, and passed, in concurrence.

SALARY BILL.

The Salary bill was taken up, the question being for action on the fifth and sixth orders.

Mr. Tucker of Ward Six moved to make the salary of the Chief Engineer of the Fire Department $3000. Carried.

Section four being reached,

Mr. Jenks of Ward Three presented petitions from J. C. Traver and others, members of the Fire Department, asking for an increase of salary. Read once and sent up.

On motion of Mr. Jenks, section four was amended by a vote of 20 to 15, making the salary of the foremen of the respective Hook and Ladder companies and the foremen (of the hose) of Engine and Hose companies $325 per annum.

Mr. Jenks moved also to amend section five, to provide that the salary of the Assistant Foremen, Clerk, Rakemen and Axemen Stewards of Hook and Ladder companies numbered 1 and 4, hosemen of Engine and Hose companies, and members of the Hook and Ladder companies, shall be at the rate of three hundred dollars each per annum.

Carried by a vote of 23 to 18.

Mr. Kingsbury of Ward Fifteen moved to amend section six, to make the salaries of drivers of Engine, Hose and Hook and Ladder companies $3 25 per day.

Mr. Wells of Ward Three moved to amend by providing in the same section that the salaries of enginemen shall be $3 75 per day, and of firemen $3 50 per day.

Mr. Denny of Ward Ten opposed the amendments as he did all of these amendments to the Salary bill, believing that the city paid to its employés a fair compensation, as much as was paid elsewhere, while there were many standing ready to take the places of these men at their present rate of compensation. The amendments of Mr. Wells were lost, and the yeas and nays were ordered on Mr. Kingsbury's amendment, which was rejected by a vote of 26 to 26, as follows:

Yeas—Bond, A. F. Cole, M. J. Cole, Conant, Crowley, Davis, Dinsmore, Doherty, Emerson, Flynn, Going, Jenks, Keany, Kingsbury, Lucas, Malone, Mullane, Nelson, Noyes, Pearson, Ryan, Squires, Talbot, Wells, Woolley, Young.

Nays—Batchelder, Braman, Denny, Frost, Gay, Gray, Hall, Hobbs, Hopkins, Ingalls, Jacobs, Johnston, Judson, Keith, Learnard, Osborn, Pickering, Poor, Rich, Richards, Rogers, Snow, Tucker, Vannevar, Wadsworth, Wilkins.

Mr. Hopkins of Ward Ten moved to amend section two of the last order, relating to the salaries of the Assistant Assessors, by providing that the amount of service of the Assistant Assessors shall be rendered in such manner as the Joint Committee on the Assessors Department shall order. Also, by adding after "Board," in Section Three, the words "of Assessors and Assistant Assessors." Carried.

The Salary bill, as amended, was passed, in concurrence.

Mr. Jacobs of Ward Five moved to reconsider the vote on section six of the fifth order relating to salaries of enginemen and firemen.

The Chair ruled that the adoption of the order must first be reconsidered.

A motion to reconsider the order was lost.

Mr. Noyes of Ward Five moved to amend section nine, page twelve, to increase the salary of the Superintendent of Hacks to $3 75 per day.

The Chair ruled as before that the adoption of the order must first be reconsidered.

A question of order was raised whether the mover had voted with the majority.

Mr. Noyes said he had no recollection of having voted on the order.

The question of reconsideration was not pressed.

PAPERS FROM THE SCHOOL COMMITTEE.

A request of the School Committee for the reservation of a lot of land on Berkeley street for school purposes, and for a provision in the appropriation bills for the purchase of school books for all the public schools, was referred to the Committee on Public Instruction.

PETITIONS.

N. F. Bryant and others, Charles E. Wiggin and others, and A. N. Libbey and others, that the city would purchase the property of the East Boston Ferry Co. Referred to the Committee on Ferries.

REPORTS OF COMMITTEES.

Mr. Wadsworth, from the Joint Special Committee on the Church Street District, made a report, in which they state that the second section of the act authorizing the city of Boston to take the property included in the Church street district, provides that any person entitled to any estate in any part of the land so taken may, at any time within one year from the time when the same shall be taken, file a bill in equity in the Supreme Judicial Court, setting forth the taking of the complainant's land, and the condition of the same in respect to its capacity for drainage, and whether the complainant claims any and what damages against the city of Boston, or the Boston Water Power Company, or any other corporation or person, by reason of any and what wrongful act or omission, by their causing a diminution in the value of his land at the time of said taking, and praying an assesssment of damages against such parties.

This taking was consummated on the 9th of May, 1868, and the Committee and the Commissioners chosen by the City Council have been authorized to settle with the former owners by paying for the property taken, or reconveying it to them.

So far as the work of raising the territory has proceeded, the Committee have succeeded in making satisfactory settlements with the former owners; but on certain sections the work is not sufficiently advanced to afford any proper basis for an adjustment before the expiration of the time named in the act, and the former owners will consider it necessary, in order to protect their interests, to file a bill in equity unless the time is extended.

In order to remove any proper cause for litigation on the part of the former owners, the Committee would respectfully recommend that the Mayor be authorized to petition the Legislature for an extension of the time to November 9th—six months. They accordingly submit the following order:

Ordered, That His Honor the Mayor be requested to petition the General Court now in session for an extension of the time to November 9, 1869, within which any person entitled to any estate on the Church Street District, so called, may file a bill in equity, as described in the second section of chapter 308 of acts of the year 1867.

A motion to lay on the table and print was lost, when the order was read a second time and passed.

Mr. Keith of Ward Fifteen, from the joint standing committee on Public Buildings, who were directed to procure plans and estimates for the erection of a building for the Girls' High and Normal School, submitted the following report:

Plans and specifications for a three-story building, containing all the modern improvements, were submitted by Mr. George Ropes Jr., architect, and approved by the Committee on Public Instruction, January 21st, 1869.

From the estimates which they have received, your committee find that it will cost $170,000 to erect the building in accordance with these plans, and they estimate that the furniture and heating apparatus will cost $20,000. As the latter will not be required for a year or more, they would recommend that an appropriation of $170,000 be made for the erection of the building, and that the amount necessary to provide furniture and heating apparatus be estimated in the appropriation for the next financial year. They therefore recommend the passage of the following orders:

Ordered, That the Committee on Public Buildings be authorized to erect a building on Newton street for a Girl's High and Normal Schoolhouse, in accordance with the plans approved by the Committee on Public Instruction, the expense thereof not to exceed $170,000.

Ordered, That the Treasurer, under the direction of the Committee on Finance, be authorized to borrow the sum of $170,000, to be appropriated to the erection of a Girls' High and Normal Schoolhouse.

The orders were read once.

Mr. Osborn of Ward Six, from the Committee on Finance, to whom was referred the petition of the National Webster Bank to be paid the amount of a lost coupon of city stock, recommended the passage of the accompanying order:

Ordered, That the City Treasurer be authorized to pay the National Webster Bank the amount of coupon No. 2844, of Boston Water Loan, for $25, due October 1, 1868, payable in gold, which has been lost and not paid, provided said bank give a bond satisfactory to the City Solicitor to save harmless and indemnify the city of Boston for making said payment.

Read once.

The same Committee, to whom was referred the reports of the Committees on Health, City Hospital, Cemeteries, and Fire Alarms, severally asking for additional appropriations, reported the accompanying order, granting the appropriations asked for; also giving authority to the Auditor of Accounts for making necessary transfers for closing the financial year:

Ordered, That the Auditor of Accounts be authorized to transfer from the reserved fund to the appropriation for Health Department $14,000; to that for City Hospital $5000; to that for Cemeteries $1000; to that for Fire Alarms $1000; also to make such transfers of appropriations as may be necessary in closing the business of this financial year, which terminates April 30, 1869.

Read once.

Mr. Lucas of Ward Seven, from the Committee on Fire Alarms, to whom was referred the petition of C. R. Classen and others that an alarm bell be placed on the grain elevator recently erected on Chandler street, made a report that it appears from the statement of the Superintendent that this district is covered by alarms from the church on Church street, which is only one thousand feet distant from the elevator, the church on Hollis street, eighteen hundred feet distant, the church on Castle street, fifteen hundred feet distant, and the Rice Schoolhouse, sixteen hundred feet distant. The Committee therefore recommend that the petitioners have leave to withdraw.

The report was accepted.

Mr. Richards of Ward Eight, from the Committee on Streets, of the Common Council, to whom were referred the resolve and order to lay out a new street forty feet in width between Harrison avenue and Albany street, two hundred feet from, and parallel to East Dover street, submitted a report as follows:

In 1867 this city purchased about 117,000 square feet of flats on East Dover street, between Harrison avenue and Albany street, mainly for the purpose of affording a convenient place for the deposit of ashes and other refuse material collected by the Health Department. The flats are now mostly filled to the grade of twelve feet above mean low water; and the proposed new street is the result of an agreement between the Committee on Public Lands, representing the city, and the owners of land adjoining the southerly side. The city is not called upon for any expenditure of money; and is required to furnish only half the land included in the street. The arrangement made by the Committee on Public Lands appears to be a judicious one, as the city's land can be sold for a handsome profit after the street is laid out.

The resolve and order for the taking and laying out are a mere matter of form, to comply with the statutes in relation to laying out highways. The Committee therefore recommend their passage.

The resolve and order were read a second time and passed.

AUDITOR'S ESTIMATES.

Mr. Osborn of Ward Six presented a report, as follows:

The Joint Special Committee of the City Council, to whom was referred the Auditor of Accounts' estimates for the financial year, commencing May 1, 1869, and terminating April 30, 1870, having given the same a thorough examination and consideration, are unanimous in their opinion that the estimates of the Auditor of Accounts should be adopted to meet the wants of the city for the coming financial year, amounting in the total to $8,551,754.

The amount required for carrying on the government, as per estimates, less the income, is $7,067,304, to meet which the Auditor of Accounts is of the opinion that a gross tax of $7,279,324 will be required, as $212,020, the difference between the amount requisite for the appropriations, less the income, and that of the tax, is to meet the deficiencies in the payments into the Treasury within the financial year.

Your Committee, concurring in the above opinion, would, therefore, recommend to the City Council the passage of the two orders annexed

one making the appropriations and the other laying a tax to meet the same. The orders are as follows:

*It is hereby ordered by the City Council*, That to defray the expenditures of the city of Boston and the county of Suffolk for the financial year which will commence with the first day of May, 1869, and end with the last day of April, 1870, the following sums of money be and the same are hereby respectively appropriated for the objects and purposes as explained in the Auditor of Accounts' Estimates, and in the application of the various Committees and Boards contained and printed in this document.

*And it is further ordered*, That no money shall be expended, and no debts be incurred for any object or purpose for which a specific appropriation is herein made, beyond the amount which is so specifically appropriated; *provided, however*, that any sums of money which may be subscribed or contributed by individuals to promote the objects of any of the foregoing appropriations, and which form no part of the estimated income of the city, shall be strictly applied, according to the intention of the contributors, and shall be credited to such appropriations accordingly; that is to say: For

Advertising, $6000; Annuities, $1200; Armories, $18,000; Bells and Clocks, $2225; Boston Harbor, $9500; Bridges, $18,000; Cemeteries, $14,010; Chestnut Hill Driveway, $5000; City Debt, $577,000; City Hospital, $90,000; Comins Grammar Schoolhouse, $30,000; Common, $59,800; County of Suffolk, $260,000; Engineer's Department, $12,000; Fire Alarm Department, $25,004; Fire Department, $260,000; Grammar Schoolhouse, Ward Nine, $18,000; Grammar Schoolhouse, Ward Twelve, $20,000; Harbor Dredging, $3000; Health Department, $315,600; Interest and Premium, $986,000; Incidental Expenses, $100,000; Lamps, $303,600; Markets, $9000; Militia Bounty, $45,000; Mount Hope Cemetery, $15,000; Old Claims, $1500; Overseers of the Poor, $68,000; Paving, $600,000; Police, $575,000; Public Baths, $26,500; Public Buildings, $95,000; Public Institutions — House of Industry, $143,500; House of Correction, $90,000 Lunatic Hospital, $76,000; Quarantine Department, $9000; Steamboat H. Morrison, $15,000; Pauper Expenses, $20,000; General Expenses at City Office, $7000; New Building for Pauper Girls, $10,000; New Almshouse at Deer Island, $1000; New Farm House, $7500—$379,000; Public Lands, $12,000 Public Library, $55,000; Printing and Stationery, $30,000; Reserved Fund, $300,000; Salaries, $222,000; Schools and Schoolhouses, viz.: High and Grammar School Instructors, $515,600; Grammar Schools, Public Buildings, $106,000; Grammar Schools, School Committee, $44,000; Salaries Officers School Committee, $18,700; Primary School Instructors, $223,500; Primary Schools, Public Buildings, $100,000; Primary Schools, School Committee, $9000. Salaries, Weights and Measures, $5915; Sewers and Drains, $75,000; State Tax, $904,000; Surveyor's Department, $25,000; War Expenses, $5000; Water Works, $190,100; Water Works, Interest and Premium, $691,000; Widening Streets, $175,000. Total, $8,554,754.

Ordered, That the sum of seven millions two hundred and seventy-nine thousand three hundred and twenty-four dollars be raised on the polls and estates taxable in this city, according to law, to pay the current expenses of the City of Boston and the County of Suffolk, during the financial year which will commence with the first day of May, 1869, and end with the last day of April, 1870.

The orders referred to were read once.

ORDERS PASSED.

On motion of Mr. Ingalls of Ward Twelve, that the Committee on Public Buildings be requested to consider and report on the subject of ventilating the chamber of the Common Council, how the same can be done, and the probable cost of the same.

On motion of Mr. Snow of Ward Eleven, that the Committee on Rules and Orders be directed to consider whether any changes are needed in regard to the reading of minutes of preceding meetings.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## MARCH 15, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND REFERRED.

James F. Goodwin as Constable.

Byron M. Darling and James Gilfether, special police officers, without pay, for duty at the Old Colony & Newport Railroad depot.

John P. Fisher, special police officer, without pay, for duty at St. Stephen's church.

Benjamin Magoon, G. W. Chase, Edwin Cass, N. B. Whitman, Squire Booth, Robert Bell, Charles H. Kendall, John Kenison and Benjamin F. Reed, reappointments, for duty in the paving department.

PETITIONS PRESENTED AND REFERRED.

Thayer & Bates, for abatement of assessments for removal of nuisance on Dunlow street.

John Kelley, for leave to sprinkle certain streets in this city.

Severally referred to Committee on Health.

George H. Davis and others, for release of conditions in deed from the city, on land in rear of Newton street. Referred to Committee on Public Lands.

Theophilus Burr and others, that the Blossom street sewer be rebuilt from Fruit to Cambridge street.

Heirs of Peter Renton and others, for abatement for sewer in Broadway.

House of Angel Guardian, for abatement of assessment for a sewer on Vernon street.

Luther Farwell and others, for extension of the Shawmut avenue sewer to Sterling street.

Stephen Dow and others, for a sewer in High street, from Federal street to Summer street.

Severally referred to Committee on Sewers.

F. A. Blanc and others, that a lamp be placed in the passageway leading from Temple place to Winter street. Referred to the Committee on Lamps.

Hayward P. Cushing and others, in aid of the petition of M. D. Ross and others, for a change in the direction of Atlantic avenue.

W. A. Heyer and others, that Dartmouth street from Beacon street to Columbus avenue be accepted.

Severally referred to the Committee on Streets.

NOTICES OF INTENTION TO BUILD.

John Cassens, Brooks street, between Chelsea and Paris streets; Wm. L. Burt, Devonshire, Milk and Water streets; John Shaughnessey, Third, between C and D streets; Mark Dowling, Third, between P and Q streets; Charles A. Fox, 36 Montgomery street; David H. Jacobs, 264 and 266 Washington street; C. & G. Barker, 110 and 112 Hanover street; Hugh Flood, South Margin, near Gouch street; Benjamin Robbins, 76 Leverett street; C. Tilden, Jr., Perrin, opposite Alaska street; Michael Keenan, 26 South Margin street; Richards & Bates, 156 Charles street; B. H. Flanders, 81 Friend street; S. A. Field, Tudor, between B and C streets; Burrill & Whitney, Second, between E and F streets; also on Dove, between E and F streets; A. L. Bailey, K, near Ninth street; W. A. Prescott, Battery street; James Sisson, corner of Ninth and New Lark streets; Barnes & Barker, 93 Union street; Angus McQuarry, Trenton street, between Brooks and Reservoir streets; Christopher Lee, 16 Colony street; Morton & Chesley, Brookline street, between Warren avenue and Tremont street; John M. Doane, Meridian street, between Decatur and Maverick streets; D. A. Perry, corner of National and Dorchester streets; Dexter Jack, Eutaw, between Marion and Brooks streets; R. Bishop, Swan street, between Dorchester avenue and Foundry street; N. J. Bradlee, corner Court square and Court avenue; John Gilbert, Warren street, corner of Moreland street; B. E. Hastings, 165 Tremont street; A. J. Hathaway, Ruggles street, opposite Mechanics street. Severally referred to the Committee on Streets.

HEARINGS ON ORDERS OF NOTICE.

The hearing on order of notice on the proposed widening of West street, on its northeasterly side, was taken up.

Remonstrances were presented from Patrick Grant and others, and F. Skinner & Co. and others, objecting to the widening for various reasons; that the subject of widening had lately been considered and settled; one of the abuttors, under such an impression of its settlement had undertaken expensive improvements; that the public good does not require the proposed widening; and that large sums of money will be required for such widening without a corresponding benefit.

Mr. J. B. Parker stated that the remonstrances set forth the reasons for objection to the further widening of the street.

S. W. Bates, in behalf of remonstrants, said the tearing down of a part of the wall of the Club House would necessitate the tearing down of the whole of it. As a thoroughfare, the street was not so much travelled as to require further widening, and it was not asked for by any number of persons. He had not come to say much on the subject, but first to learn the reasons why the widening was asked for.

H. A. Turner, the petitioner, stated that when he first leased the building occupied by him, he understood that the city would cut off the Club House building; it was objected to doing it at that time on account of the expense; and in the course of a year or two it was proposed to carry out the improvement. A portion of the improvements had recently been made, and there was now only the Club House building to be cut off—and of this it was only needed to remove the lower part of the wall which projected beyond the upper portion. The store occupied by him was injured by the projection, and his customers frequently passed it without noticing where it was.

Mr. Parker said if the lower portion of the wall should be taken away it would require the removal of the whole front, at great expense. Before many years the place would undoubtedly be wanted for a store, when the cutting off, if necessary, could be done.

Charles H. Parker, for the estate of Mrs. Parkman, made objections to the widening, as affecting that estate.

Alderman Talbot stated that the gentleman labored under a false impression in regard to the widening. The line of widening extended to that estate, but did not touch it.

The report was recommitted.

The orders of notice on the proposed widening of Boylston street, and the widening of High street, were each taken up for consideration. No person appearing in opposition, they were severally recommitted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Order to pay to the heirs of Thos. B. Wales $20,000 for land taken and damages occasioned by the widening of Federal street.

Order for the widening of West Cedar street, on its easterly side, between Revere and Phillips streets, by taking land of John L. Roberts, containing 36½ square feet, at an expense of $800.

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized to contract for the removal of Hotel Pelham back to the line of widening of Tremont street, and to employ such persons to superintend the removal of the same as they shall deem expedient; the expense thereof to be charged to the Tremont street loan.

EXTENSION OF BROADWAY.

The resolve and order to extend Broadway to Albany street, at a cost of $226,500; also for a loan of $550,000 for that purpose and for construction of bridges, being on their passage,

Alderman Bradlee said that with a sincere desire to favor such measures of public improvement as are for the general good, he had examined this project with as much care as he had had time to spare for the purpose, but could not be convinced of its usefulness. It was objectionable as contemplating a long bridge in the air, and it would be little better than a nuisance to the territory over which it passes. Not much could be gained in distance if the project ends as this resolve proposes; and if continued, as it is supposed it will be, to the vicinity of the Common, it will involve a great expense, reaching to millions of dollars.

Mr. Bradlee was in favor of widening Dover Street bridge, and in connection with Berkeley street, the Milldam can easily be reached. He did not believe that the light travel from South Boston would be as great as many persons have assumed. South Boston will become a great manufacturing point, and with the annexation of Dorchester as a place of residences, and the proposed avenue across the South Bay, in addition to the various other avenues, he could not see the necessity of the construction of this avenue, at a great expense. Mr. Bradlee said that with every respect for the estimate of the committee, he did not believe it was possible to accurately state the cost beforehand of such an enterprise.

Alderman Hawes was sorry that the gentleman did not better know the wants of the people of South Boston. Let him come over there and see how much the people are inconvenienced at the several bridges, frequently greatly delayed by the opening of the draws, and he would think differently of the matter. The widening of the bridges would necessitate the widening of the draws, which would be a nuisance, for they are already as wide as can conveniently be managed. It could not be supposed that the construction of a new avenue across the South Bay would be any relief to the people of South Boston in getting to this part of the city.

Alderman Talbot, in behalf of the Committee, said they had carefully made the estimates and believed them to be as correct as it appeared possible to make them before actual settlements were made with the parties in iuterest. In regard to this avenue, it was well known that he had been in favor of its extension to Washington street, and hoped it would be so exteuded. He believed the people of South Boston were entitled to this new avenue, and should cheerfully vote for it.

The vote was takeu on the passage of the order, and it was carried—yeas 11, nays 1 (Alderman Bradlee.)

BUILDING FOR A NATIONAL PEACE FESTIVAL.

A petition was presented from George H. Davis and others for a change of location of the structure designed for the celebration of the Grand National Peace Festival.

On motion of Alderman Rice it was voted that the petitioners be heard on the subject at the present time.

George H. Davis, one of the petitioners, said he did not appear before the Board to advocate the measure of Mr. Gilmore; that had already been set forth to the public and met with general approval. The committee appointed on Saturday had no ends to serve, no profit to make, and no pecuniary interest at all in the matter. On visiting the proposed locality at the foot of Boylstou street, they were convinced that it was not the proper place, on account of the inconvenience of access and want of drainage.

It was thought that no objection could be made to placing the building on the Common, and the opinion of the City Solicitor had been given favorable to it. The location on the Comuon would also save a great expense on acount of pile driving for a foundation. The only object which the Committee had in view was that the project should be carried out in a manner which should be a credit to the city, State, and everybody interested in it.

M. M. Ballou, also of the committee and petitioners, said he had little to add to what Mr. Davis had said. He coincided fully in his views in relation to the location of the building. There was no longer a doubt of the success of the project. That had become a fixed fact, and the only question was as to putting up of the buildings in a creditable and safe manner, after the proper location was decided upon.

Alderman James inquired of Mr. Davis if he was not aware that the parade ground was uneven.

Mr. Davis replied that he was aware that there was an unevenness, and that the ground selected on the Back Bay was also uneven and would require the driving of piles for the foundation of the building.

Alderman James was of opinion that the foundation in the place proposed was equally as good as that of the Common.

Mr. Davis thought it would not be necessary to drive piles for a foundation on the Common, and as a further argument urged that the structure would be but temporary, yet might be used to advantage perhaps on the Fourth of July. It was also found that in the pr posed locality it would be necessary to procure additional land belonging to individuals.

In answer to Alderman Richards, Mr. Davis further said that Mr. Matthews, President of the Water Power Company, was willing to aid them, but some of the land adjoining had been sold. The place was also objectionable from being sandy and bleak, and he did not doubt that if submitted to the people to allow the building to be located on the Common 999 out of 1000 would be in favor of it.

In answer to Alderman Bradlee, he said also that the Common might be needed three months. It was desirable that the contracts should be made immediately, and any delay would be much of a hindrance. The building should be ready for use from the 5th to the 15th of June, and the ground should be broken as soon as the frost is out of it.

To Alderman Talbot he replied that a delay of a week would make a difference in the estimates. If there were no serious objections, they would like to have the matter settled now.

Mr. P. S. Gilmore said he was sorry that there should be any objection to having the proposed building on the Common. It would make a great difference in the matter of convenience to musicians and to those who might attend upon the concerts. There could be no doubt that the project would now be a success, for a class of men had taken hold of it who made that certain.

Another objection which was important, was, that the location on Boylston street was so near the railroads that the constant noise of the trains and the whistle of the locomotives would destroy the effect of the music. To give the proper *éclat* to the project, it should be on Boston Common, so well known everywhere.

A motion being made to refer the subject to the Committee on the Common,

Alderman Richards did not believe that it would be worth while to refer the matter to the Committee on the Common, who had considered it fully; and he hoped a vote would be taken in the Board, today. His objection had been to the disfiguring of the Common, and as a matter of principle. Granting the Common in the present case would be claimed as a precedent hereafter.

To the public, generally, the Common is their only chance of getting the benefits derived from going into the country; and it could readily be presumed that for the greater part of the summer this ground would be occupied in preparation for the building, its occupation by it, and the removal of the material.

Alderman Baldwin said he should readily vote in favor of location of the building on the Common, and trusted it would be carried out on the magnificent scale which its character warrants. He did not fear any precedent of this noble character, and the nature of this enterprise would prevent it from becoming a precedent for most undertakings hereafter.

Alderman Pratt said he had not given much consideration to this subject. As a matter of precedent, precedents had already been established, and this was one of those which rarely occur, of a cosmopolitan character, in which there was not a man, woman or child in the community who would not be benefited. He did not doubt that wherever the building might be located, arrangements would be made by horse railroads for the convenience of the people, yet to place it on the Common would greatly accommodate every one who might attend the Festival. Doubtless the Common would be trampled upon greatly and be much cut up, by locating such a building on it, yet as this was the only mode by which the City Government could contribute to the enterprise, the expense of repair could be

easily borne, when so much would result to the benefit of the city.

Alderman Talbot said he did not wish to vote on the subject without some consultation, so that an order might be drawn for the protection of the interests of the city.

On his motion, the subject was laid on the table.

At a subsequent stage of the proceedings of the Board, the following order was offered and passed, on motion of Alderman White, the last clause being added on motion of Alderman Talbot.

Ordered, That the Parade Ground on Boston Common be granted to Lewis Rice, George H. Davis and M. M. Ballou, Building Committee of Subscribers to the Musical Peace Festival, for the purpose of erecting a temporary structure, in accordance with plans and specifications designed for that purpose; the said building to be erected under the coöperative superintendence of the City Engineer, Superintendent of Public Buildings and the Committee on Common and Squares; said grantees to give a satisfactory obligation to the city authorities to remove said building from Boston Common whenever ordered so to do by this Board.

COMMON COUNCIL PAPERS.

Petitions from the Common Council in relation to the East Boston Ferry property, and from members of the Fire Department for increase of pay, were referred, in concurrence.

The election of one Weigher and Inspector of Lighters was taken up, and a ballot resulted as follows:

| | |
|---|---|
| Whole number of votes | 12 |
| Necessary to a choice | 7 |
| Abijah R. Tewksbury | 9 |
| Wm. B. Maloney | 3 |

Mr. Tewksbury was declared to be elected in concurrence.

The election of two First Assistant Assessors was taken up, when Alderman Baldwin withdrew the name of George A. Shaw, at his request. The vote was as follows:

| | |
|---|---|
| Whole number of votes | 12 |
| Joseph W. Dudley | 11 |
| James H. Tallon | 11 |
| Theophilus Burr | 2 |

Mr. Dudley was declared to be elected in concurrence, and Mr. Tallon in non-concurrence, in place of Mr. Burr.

The following orders were adopted in concurrence:

Order for Mayor to petition the Legislature for an extension of time in which Church street property-holders may file bills in Equity.

Order for Committee on Public Buildings to report a plan for ventilating the Common Council Chamber.

The report "leave to withdraw" on petition of C. R. Classen and others for an Alarm Bell on the Albany Grain Elevator was accepted, in concurrence.

The request of School Committee that the lot of land on the corner of Berkeley and Newbury streets be reserved for school purposes, and

Request of School Committee that books be furnished by the city to all pupils in the public schools, were severally referred, in concurrence.

SALARY BILL.

The salary bill was taken up for action on amendments made by the Common Council.

The several amendments, to increase the salary of the City Physician, to decrease the salary of the Superintendent of Faneuil Hall Market, to increase the salary of the Deputy Superintendent of Faneuil Hall Market, to increase the pay of the various officers of the Police Department, and the Chief Engineer and other officers of the Fire Department, were all rejected without a count, and in most cases unanimously.

The amendment to decrease the pay of the Superintendent of Sewers from $3000 to $2500 was carried, and the following amendments were passed in concurrence:

*Assessors—First Assistants, &c.* Amend last clause so that it shall read as follows: The amount of service rendered by the several Assistant Assessors shall be certified by the secretary of the board, in such manner as the Joint Committee on the Assessors' Department shall order.

Amend the next section so as to read as follows:

Sec. 3. Sessions of the Board of Assessors and Assistant Assessors shall be held daily, beginning on the sixteenth day of June, and shall not terminate sooner than the seventh day of August, unless dissolved by the Board of Assessors.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of granting various licenses to innholders, for intelligence offices, &c., and for transfer of wagon licenses. Severally accepted.

Also licenses to boys—two newsboys, one as a bootblack, one to sell shoe-lacings, and one to sell confectionery. Accepted.

Also licenses to Alonzo Bond, C. C. Patten and to Henry D. Noyes to give concerts, and to John Shea to give a sparring exhibition. Accepted.

Also to persons to keep velocipede rinks, as follows: B. W. Carney, 672½ Washington street; West & Jordan, 1932 Washington street; George W. Jameson, Lewis street; Wm. C. Lord, 81 Milk street; Chamberlain & McNeil, corner of Kneeland and Washington streets; Geo. C. Noble, 19 and 20 Lewis street. Severally accepted.

Alderman Talbot, from the Committee on Streets reported no action necessary on sundry notices of intention to build. Accepted.

Alderman White, from the Committee on Health, reported in favor of licenses to J. A. & A. Smith, Malachi Clark, Benjamin Jones, Michael Gormley and G. H. Moseley, for leave to sprinkle certain streets in the city. Accepted.

Alderman White, from the Committee on Health, reported leave to withdraw on petition of John Nevan and others for abatement of assessment for a drain. Accepted.

Alderman Talbot, from the Committee on Streets, reported inexpedient on the petition for the acceptance of Paris street, between Porter and Marion streets, and Paris street, northeast of Porter street, said street not being up to grade; also, inexpedient on petition for laying out and accepting a portion of Putnam street, and no action necessary on the petition of Thomas Richardson to be heard on the subject of damages on Federal street, as he has already been heard on the subject. Severally accepted.

Alderman Talbot, from the Joint Standing Committee on Claims, to whom was referred the petition of Jeremiah H. Pote and Oliver Frost, to be reimbursed for the expense of building a wall to protect their land from excavations made by the city, made a report recommending that the petitioners have leave to withdraw. Accepted.

Alderman James, from the Committee on Water, on the subject of water rates for model lodging houses, reported an ordinance regulating such rates. Referred to Committee on Ordinances.

Alderman Talbot, from the Committee on Streets, reported a new order to quit on the line of Atlantic avenue. The order was adopted, and the former one was rescinded.

Alderman Talbot also made a report on the subject of damages from the opening of Avon place. The amount given was in the aggregate $77,215, for which settlements had all been made. Accepted.

ORDER OF NOTICE.

The same Alderman reported an order of notice on petition of Wm J. Irving of notice of intention to build, No. 8 Cambridge street, that the city proposed to widen said street. Hearing Monday, March 29, 4 P. M.

Alderman James, from the Committee on Paving, reported an order, as follows:

Ordered, That the street extending from Washington street to Chauncy street, a part of which has heretofore been called Avon place, be hereafter called and known as Avon street.

Alderman Talbot suggested that Temple place be added to the street to be called Avon street, and for a further consideration of the subject, on his motion, the matter was laid on the table.

Alderman James, from the same Committee, offered the following, which was passed:

Ordered, That the City Treasurer be and is hereby directed to abate the bill of $42 82 against Mary Harrigan, for edgestones furnished and sidewalk laid by the city in front of her estate No. 44 Cottage street, East Boston, she being unable to pay said bill.

ANNEXATION OF DORCHESTER.

Alderman Van Nostrand, from the Joint Special Committee to whom was referred the report of the Commissioners on the annexation of Dorchester to Boston, made a report, in which they recommended the passage of the following order:

Ordered, That his Honor, the Mayor, be requested to petition the General Court, now in session, for the passage of an act to unite the town of Dorchester to the City of Boston, subject to the approval of a majority of the legal voters of both corporations, and that the Committee on the Annexation of Dorchester be authorized, in consultation with his Honor the Mayor, to represent the city before the Committee of the Legislature, to whom the petitions may be referred, and take such action as they may deem expedient to secure the passage of such an act.

Passed, and sent down for concurrence.

ORDERS PASSED.

On motion of Alderman White,

Ordered, That the Superintendent of Health be instructed to furnish one thousand loads of ashes (more or less) on territory situated on Harrison avenue, near Dover street, belonging to John S. Blair, and that said Blair be charged at the rate of fifty cents for each load so delivered.

On motion of Alderman White,

Ordered, That the Chief of Police be and he is hereby directed to clear the sidewalk in Court square whenever it is obstructed so as to prevent a free passage of persons upon said sidewalk, more particularly when the prison carriage is loading or unloading there.

On motion of Alderman White,

Ordered, That the Superintendent of Streets be directed to grade Bristol street from Harrison avenue to Albany street, with ashes, and that the Superintendent of Health be directed to furnish ashes for that purpose.

On motion of Alderman Richards,

Ordered, That the Chief Engineer be and he is hereby authorized to purchase, under the direction of the Committee on Fire Department, one pair of horses, for Engine Company No. 10, at an expense of $850, the same to be charged to the appropriation for the Fire Department.

On motion of Alderman Rice,

Ordered, That His Honor the Mayor be requested to petition the General Court now in session for authority to lay a water pipe through the town of Winthrop and across Shirley Gut to Deer Island, for the purpose of supplying the city institutions at Deer Island with pure water.

Ordered, That the Chief of Police be and he is hereby directed to notify the owner of the estate numbered 51 Devonshire street, forthwith to close up the cellar-way recently opened in the sidewalk in front of said estate on the corner of Devonshire street and Spring lane, and in default thereof the Superintendent of Streets is hereby directed to close up and make solid said opening, at the expense of the owner thereof.

Ordered, That the Chief Engineer be and he is hereby authorized to submit the annual report of the Fire Department in print.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## MARCH 18, 1869.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petition of George H. Davis and others, for release of conditions in deed from this city on land in rear of Newton street, was referred to the Committee on Public Lands, in concurrence.

The report leave to withdraw on petition of J. H. Pote *et al.* to be reimbursed the expense of building a wall to protect their land from excavations made by the city was accepted, in concurrence.

The following matters were acted upon in concurrence:

Reference to Committee on Ordinances of Report and Ordinances concerning Water-rates for Model Houses.

Order for the Chief-Engineer of the Fire Department to report in print.

The order requesting the Mayor to petition the General Court for authority to lay water-pipes through Winthrop across Shirley Gut to Deer Island was read once.

The order requesting the Mayor to petition the General Court for a law to authorize the annexation of Dorchester and Boston, subject to the approval of a majority of the voters, being under consideration on its passage,

Mr. Osborn of Ward Six asked for information on the subject.

No response being made, Mr. Osborn moved that it be laid on the table. Carried.

The resolve and orders for extension of Broadway from Federal street to Albany street, to take the parcels of land necessary therefor, and for a loan of $550,000, to be appropriated for said extension—

On motion of Mr. Gray of Ward Twelve was read by its title, and referred to the Committee on Streets of the Common Council, with authority to report in point.

The election of one First Assistant Assessor was taken up, when Messrs. Pickering of Ward Fourteen, Wadsworth of Ward Four, and Osborn of Ward Six, were appointed a committee to receive, sort and count the votes.

Mr. Talbot of Ward Four presented a communication from Theophilus Burr, which was read, in which he stated that he had been informed of his nomination as a candidate for Second Assistant Assessor. That nomination he declined, with the statement that he had not declined the nomination as a candidate for First Assistant Assessor, made by the committee.

Mr. Gray of Ward Twelve inquired if it was understood that Mr. Burr was a candidate for First Assistant Assessor, and declines the nomination as a Second Assistant Assessor.

The chair stated that such was the fact.

The ballot had partially been taken when Mr. Jenks of Ward Three stated that he had voted for two candidates, under a misapprehension.

Mr. Rich of Ward Fourteen believed the present balloting to be informal and moved that it be declared null and void.

After various questions were raised in relation thereto, the motion was entertained and carried.

The Committee reported as follows:

| | |
|---|---|
| Whole number of votes | 52 |
| Necessary for a choice | 27 |
| Theophilus Burr | 31 |
| James H. Tallon | 16 |
| C. E. Grant 4; Grant 1; Blank 1 | 6 |

Mr. Burr was declared to be elected, in non-concurrence.

The list of jurors, from the Board of Aldermen' was accepted.

SALARY BILL.

The Salary bill was taken up, the question being on receding from the amendments made by the Council to the Salary bill, with the exception of those for Superintendent of Sewers and Assessors, in which the Board of Aldermen concurred.

Mr. Jenks of Ward Three inquired relative to the questions to be acted upon, to which the Chair replied that they referred to the whole list.

Mr. Jenks said he desired to say, as he did a week ago, that $1200 a year was as small a salary as the police could live upon, and he thought also that the pay as provided for the firemen was as low as it ought to be.

The question was taken separately on each amendment, the vote being upon receding.

On the question of receding from an increase of the salary of the City Physician, the decrease of salary of the Superintendent of Faneuil Hall Market and the increase of salary of the Deputy Superintendent of the Market, the votes were in the negative, without a count.

On the question of receding from an increase of pay of lieutenants of police, the vote was 24 to 23.

On the several other amendments the yeas and nays were ordered, and the votes were as follows:

On the increase of pay of sergeants of police, the vote to recede was 26 to 25, as follows:

Yeas—Batchelder, Belknap, Braman, Butler, A. F. Cole, Flanders, Frost, Gay, Going, Gray, Hobbs, Hopkins, Ingalls, Keith, Learnard, Leighton, Osborn, Pickering, Poor, Rich, Richards, Snow, Squires, Tucker, Wadsworth, Wilkins.

Nays—Bond, M. J. Cole, Conant, Crowley, Dinsmore, Flynn, Hall, Jacobs, Jenks, Johnston, Judson, Keany, Kingsbury, Malone, Nelson, Noyes, Pearson, Pote, Ryan, Talbot, Vannevar, Wells, Woods, Woolley, Young.

The vote on receding from increase of pay to detectives was 27 to 24, Mr. Vannevar voting yes.

On the pay of day and night officers, the vote to recede was 27 yeas to 23 nays, Mr. Nelson not voting.

The Council refused to recede on the increase of pay to the Chief Engineer of the Fire Department, by a vote of 20 yeas to 29 nays, as follows:

Yeas—Bond, Braman, A. F. Cole, M. J. Cole, Ingalls, Johnston, Keany, Keith, Leighton, Malone, Pickering, Poor, Rich, Richards, Snow, Squires, Vannever, Wadsworth, Woods, Young.

Nays—Batchelder, Belknap, Butler, Conant, Crowley, Dinsmore, Flanders, Flynn, Frost, Gay, Going, Gray, Hall, Hobbs, Jacobs, Jenks, Judson, Kingsbury, Nelson, Noyes, Osborn, Pearson, Pote, Ryan, Talbot, Tucker, Wells, Wilkins, Woolley.

The vote on receding from increase of pay to foremen of hook and ladder companies and foremen of hose of engine and hose companies, was 24 to 23, substantially as above, Messrs. Belknap, Flanders, Hopkins and Learnard not voting, and Messrs. Johnston and Woods voting yea.

The vote to recede on pay to assistant foreman, hosemen and others, was 25 to 23, the additional vote in the affirmative being that of Mr. Learnard, all others the same.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Order authorizing the Treasurer to pay to the National Webster Bank $25, the amount of a lost coupon of the Boston Water Loan.

Order assigning to the Water Board so much of the land in Ward Fifteen, purchased for the police station now being erected, as is not required for said station.

The order requesting Water Board to introduce the Lowry hydrants, when the water pipes are laid in the Church Street District, being on its passage,

Mr. Wadsworth of Ward Four moved its reference to the Water Board, stating in explanation that these hydrants were located in the middle of the street, and in the winter when there was much snow on the ground they could not be got open without leaving an unevenness dangerous to man and beast. It was true they had been introduced in the works in Roxbury, but Mr. Chesbro, the engineer at Chicago, had been on here to see them, and states that he will not introduce them there until they have been sufficiently tried here.

Mr. Kingsbury of Ward Fifteen stated that the Lowry hydrants had been introduced into the

Highlands, and had been used in Charlestown ever since their water works were established, and no such inconvenience had been experienced as had been raised against them. He did not think it necessary to refer the order to the Water Board.

Mr. Wadsworth inquired how the difficulty he had mentioned could be obviated.

Mr. Ryan of Ward Thirteen said these hydrants were more convenient than the old hydrants. Their position in the street was marked on the schedule which the firemen were furnished with. There had been no difficulty about their use in narrow streets, for they had been proved to be satisfactory in the streets of the Highlands.

Mr. Wadsworth urged that it would make much difference where the streets were not more than twenty-five feet wide, as in the Church street district. The piling up of the snow in the streets, and the digging open the centre of them to get at the hydrants, would make very dangerous places.

Mr. Ryan further spoke upon the point of the facility of finding these hydrants by the firemen, the signs indicating the angle and the distance from the buildings or sidewalks, and the firemen being provided with measuring tape to find their location by measurement.

Mr. Kingsbury said there could be no more difficulty with these hydrants than there was with the old reservoirs, which were got along with very well.

Mr. Hall of Ward One did not see any necessity for the reference to the Water Board at all. If the Fire Department were satisfied with these hydrants, that should be enough.

Mr. Rich of Ward Fourteen moved the reference of the order to the Committee on the Fire Department of the Common Council. Carried.

The order authorizing a transfer from the Reserved Fund to the appropriation for Health, $14,000; to that for City Hospital, $5000; to that for Cemeteries, $1000; to that for Fire Alarms, $1000; and such other transfers as may be necessary in closing the business of the financial year, was passed by a unanimous vote.

AUDITOR'S ESTIMATES, APPROPRIATIONS AND TAX.

The orders relating to the specific appropriations for the financial year 1869-70, and laying a specific tax to defray the expenses of the City and County of Suffolk for said year, in printed City Document No. 33, 1869, were taken up, the question being on their final passage.

The several items of appropriation contained in the Auditor's estimates, and approved of by the Joint Special Committee of the two branches, were read over seperately, and no amendments were proposed thereto. The orders, as already published, relative to the manner of making expenditures of money, under these appropriations, and the order for the levy of a tax to meet the wants of the city, were severally passed. The order for laying a tax provides for the raising of $7,279,324.

The orders authorizing the erection on Newton street of a Girls' High and Normal Schoolhouse, at a cost not exceeding $170,000, and authorizing a loan of $170,000, to be appropriated therefor, being on their passage,

Mr. Rich of Ward Fourteen said he understood that this matter came before the School Committee and was not approved of; that it had the approbation only of a sub-committee. The proposed location was a long distance from some portions of the city, and the effect of building a schoolhouse there would be effectually to prevent the erection of high schoolhouses at the extreme portions of the city, and subject those who may attend upon this school to travel to it at much inconvenience. That the matter may be further considered, he moved to lay the order on the table. Carried.

The appointment by the City Messenger of Alvah H. Peters as Assistant Messenger was approved.

REPORTS OF COMMITTEES.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, made a report recommending the removal of the stable in the Allston Street Schoolhouse yard, the same having been complained of as a nuisance by the occupants of the adjoining premises. For that purpose they recommended the passage of the following order:

Ordered, That the Superintendent of Public Buildings be authorized to remove the s able from the yard of the Allston Street Schoolhouse, and to fence and pave said yard, the expense thereof to be charged to the appropriation for grammar schools. Public Buildings.

Mr. Keith said the stable belonged to the city, was of no use where it is, and it had been complained of by the School Committee and by the neighbors as a nuisance.

The order was read twice and passed.

Mr. Leighton of Ward Nine, from the Joint Standing Committee on the Assessors' Department, made a report recommending the election of the following named persons as Second Assistant-Assessors:

Ward One—Daniel J. Sweeney, John Noble; Ward Two—James Healy, John F. Flynn; Ward Three—Theophilus Burr; Ward Four—F. S. Carruth, C. W. Forbush; Ward Five—John M. Maguire, Pierce A. Doherty; Ward Six—Oliver P. Bowman; Ward Seven—John A. Johnston; Ward Eight—Cadis B. Boyce; Ward Nine—James Standish; Ward Ten—Edward A. Hunting; Ward Eleven—Geo. W. Skinner; Ward Twelve—Wm. Gallagher; Ward Thirteen—George F. Davis; Ward Fourteen—Wm. H. McIntosh; Ward Fifteen—Samuel P. Blake.

Mr. Leighton moved a recommittal of the report, which was carried.

Mr. Tucker of Ward Six, from the Joint Special Committee to nominate an additional Engineer of the Fire Department for East Boston, in accordance with the ordinance passed February 26, 1869, made a report recommending the election of Joseph Barnes.

It was voted to proceed to an election, when Messrs. Woolley of Ward One, Kingsbury of Ward Fifteen, and Talbot of Ward Four, were appointed a committee to receive, sort and count the votes for Assistant Engineer of the Fire Department.

The committee reported the whole number of votes to be 47, 41 of which were for Joseph Barnes, 4 for Charles Simmons and 2 for George P. Darrow.

Mr. Barnes was declared to be elected.

Mr. Tucker of Ward Six, from the Committee on Rules and Orders of the Common Council, who were requested to consider whether any change is needed in the rule of the Common Council in regard to the reading of the minutes of the preceding meeting, made a report, recommending that section 1 of the rules and orders be amended to read as follows:

"The President shall take the chair precisely at the hour to which the Council shall have adjourned. He shall call the members to order, and on the appearance of a quorum, shall proceed to business, unless the reading of the minutes of the preceding meeting is called for by some member."

The report was accepted.

Mr. Nelson of Ward Nine moved to take up the order relating to the petition to the Legislature on the subject of the annexation of Dorchester, assigning as a reason that the Legislature had fixed upon a limit for action on new business.

Mr. Osborn of Ward Six said he did not wish to make any opposition to the measure, but he had heard no reason for annexation given, and being absent when the report was made, although he understood that it was on our files, had not had an opportunity to examine it.

Mr. Keith of Ward Fifteen said he should be in favor of postponement but for the reasons assigned by the gentleman from Ward Nine. He thought, however, no harm could be done by its passage, since the order provides that the question of annexation shall be submitted to the voters of both places.

Mr. Rich of Ward Fourteen stated that the order to fix the limits for the reception of business by the Legislature had been rejected. Subsequently he stated that such an order was passed, which was reconsidered.

Mr. Jacobs of Ward Five stated that the committee desired early action. The whole matter relating to annexation and the reason for it are contained in the report of the Commissioners, in which they are exhaustively set forth.

The order was read a second time and passed.

Mr. Osborn of Ward Six offered the following order:

Ordered, That the Committee on Ordinances be directed so to amend the ordinances as to provide that whenever any land shall be purchased for school

purposes, such purchases shall be made under the direction of the Committee on Public Instruction.

Mr. Wells of Ward Three moved that the order be laid on the table. Lost.

Mr. Jenks of Ward Three moved an indefinite postponement, and that the yeas and nays be taken on the motion.

The question was put on the indefinite postponement, and declared to be lost, when the order was passed.

Mr. Belknap of Ward Three offered the following order, which was read once:

Ordered, That the Committee on the Harbor be authorized to expend a sum not exceeding five hundred dollars, in addition to the amount heretofore appropriated, for repairing the boats and scows connected with the steam dredging machine, said sum to be charged to the appropriation for dredging machine.

Mr. Jenks of Ward Three inquired it it was not in order to call for the yeas and nays on the passage of an order, which motion he made.

The Chair stated that the motion for the yeas and nays should have been made after the motion had been stated by the Chair on indefinite postponement.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## MARCH 22, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, the Mayor presiding.

JURORS DRAWN.

Thirty-eight traverse jurors were drawn for the Superior Court, first session, thirty-five for the Supreme Judicial Court, and thirty-six for the Superior Court, second session.

APPOINTMENT MADE AND CONFIRMED.

James K. Crowley, as a Culler of Hoops and Staves, in place of Benjamin Abbott, declined.

PETITIONS PRESENTED AND REFERRED.

John Simmons and others, against the proposed change in the name of Sudbury street.

Mrs. A. B. Nickerson, for abatement of assessment for sidewalk in Cottage street.

Joel Merriam and others, order of notice on petition to the Legislature for a railroad from Gardner to Boston.

Sweetser & Abbott and others, against the proposed change of name of Temple place to Avon street.

Jewett & Pitcher, for acceptance of an act authorizing them to build a railroad track in East Boston.

Severally referred to the Committee on Paving.

L. B. Harrington, for abatement of an assessment on estate on Vernon street for a sewer in said street.

Michael Conroy, for abatement of assessment for a sewer in Washington street.

Severally referred to the Committee on Sewers.

Samuel Little and others, that Zeigler street be extended to Washington street.

Mrs. C. A. Gardiner, for change in assessment of betterment on High street.

Leonard Ware and others, for removal of obstructions projecting over the line of Grove Hall avenue.

Edward Tuckerman, against the extension of Washington street through his estate on Cornhill.

George B. Wilbur and 84 others, for the extension of Devonshire and Washington streets to Haymarket square.

C. R. Morse and others, for the same object.

Heirs of William Reynolds, against a change in the streets on Fort Hill.

Severally referred to the Committee on Streets.

Wm. Pray, for leave to erect a stable for more than four horses on Woodward street.

Andrew Cain, for abatement of assessment for removal of a nuisance in Orange court.

Orsamus Nute, for leave to sprinkle certain streets in this city.

Leander H. Jones, for leave to sprinkle certain streets in this city.

Severally referred to the Committee on Health.

George M. Stevens & Co., for leave to project a clock into Sudbury street in front of their store.

Cook & Jordan, for a location of their coal office on a portion of Malden street.

Severally referred to Committee on Police.

Solomon S. Gray, to be relieved from certain conditions of sale in deed of city's land to him on M street. Referred to Committee on Public Lands.

C. Stratton and others, that the licenses granted to George D. Follett and Peter R. Garvey on Elm street be revoked. Referred to Committee on Licenses.

Boston Labor Reform Institute, that the eight-hour system be adopted in all departments of city work. Referred to a Joint Special Committee, consisting of Aldermen Hawes and Van Nostrand, with such as the Common Council may join.

Neil Doherty and others, for a lamp in Samoset place. Referred to Committee on Lamps.

Co. A, 1st Cavalry, for better armory accommodations. Referred to Committee on Armories.

New England Female Medical College for leave to exchange a lot of land on East Newton street for another lot. Referred to Committee on Public Lands.

NOTICES OF INTENTIONS TO BUILD.

H. M. Wilson, 23 Essex street; Miller & Horton Gates street; John Kramer, Chadwick street; J. E. Blakemore, Eighth street, between K and I streets; James Devine, Fourth street, between C and D streets; William Peard, Fourth street, between C and D streets; Henry Grimes, Seventh street, between D and E streets; Davis Damon, Eutaw street, between Marion and Brooks streets; E. Pinkham, Princeton street, between Prescott and Eagle streets; John H. Wigglesworth, corner of E and Third streets; W. A. & S. G. Low, rear 131 Hudson street; A. S. Ripley, 298 Tremont street; N. J. Bradlee, corner of Milk and Congress streets; Edwin Adams, corner Beacon and Dartmouth streets; W. H. Honywill, Cabot street, opposite Warren street; William M. Rumery, Bath street; Alonzo Warren, Federal street, in Washington Village; J. C. Crowley, corner of Bedford and Chauncey streets; I. & H. M. Harmon, 186 Beacon street; John Quinn, Broadway; Edwin Adams, Dennis street, opposite Woodville square; Nath'l Freeman, corner of Philips and Grove streets; Richard Collins, 30 Battery street; Union Penny Savings Bank, corner of Washington and Union Park streets; I. & H. M. Harmon, Boylston street, between Berkeley and Clarendon streets, and on the corner of Commonwealth avenue and Clarendon street. Severally referred to the Committee on Streets.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the order of notice on the proposed widening of High and Summer streets was taken up. No person appearing, the order for widening was recommitted.

The hearing on the proposed widening at the corner of Congress and Milk streets was taken up. No person appearing, the order was recommitted.

LAYING OUT AND WIDENING STREETS ON FORT HILL.

The several orders of notice of intention to lay out, widen and grade certain streets on Fort Hill were taken up.

The orders in relation to the several streets were considered separately, and parties were heard, as follows:

William Doran said he had a little property which he had been forty years in acquiring, and did not wish to part with it until he knew how much he was going to get for it. He was now getting $2100 a year, with a small outlay, and as he was now past labor, and did not wish to go to the poor house, he repeated that he wished to know what he should get for it.

Maurice O'Connell said he owned a small estate on Sturgis place, which would be affected by the order, and he did not know what the designs of the city were. On a consideration of the matter by the Board, he believed it would be found to be better to widen Pearl place. Four years ago parties petitioned the Legislature for the cutting down of Oliver street, when it was looked upon as mad scheme. There are plans in every insurance office in this city, in relation to the various schemes in contemplation, and he feared there were interested parties who were seeking to make their fortunes, while many persons would lose much of what they had. Believing that the Board had no interest in the opening of Sturgis place, he hoped such a course would be taken as would be best for the public good. This would be to extend Pearl place to Broad street, which could be done at much less expense than the opening of Sturgis place.

If, however, it was designed to open Sturgis place, he hoped the widening would be on the north side rather than on the south side. There were at least two hundred persons interested in these projects for improvements, and he trusted they would not be carried out to the benefit of speculators, and to the injury of present owners of property.

George C. Beckwith made some remarks in relation to the opening of Hartford place. He said he did not object to the widening of Pearl place and its extension to Wendell place; but in behalf of several persons he objected to the extension of Hartford place. Nobody would be benefited by the extension except several stores on Pearl street. The benefit to the abutters on Oliver street and

Pearl place would be so little that the abuttors would not be benefited to the extent of one per cent., and would be unwilling to pay betterments. If such an opening must be made, it would be only for the rear entrances on the Pearl street stores, and they should pay the betterments.

William F. Weld objected to a portion of the proposed widening of High street. He thought if the widening extended only to the stores at the corner of Pearl street, it would answer very well the purpose and save a great expense to the city. As the owner of the store property at the corner he did not wish to have it cut off and lessened in value, as it would be, and the cutting off, he submitted, would be attended with great expense. He thought the street was wide enough at the corner to answer every purpose.

Mr. Johnson appeared in behalf of Wm. G. Cole, a poor man, who had a small piece of property on Washington avenue. He wished to know what compensation he was to receive before he was required to part with his property, and supposed it to be necessary to appear before the Board.

Alderman Talbot stated that there was no necessity for his being heard in the matter, and that the taking of the property would be a matter of negotiation between the city and the owners of the property.

Joshua B. Fowle appeared in relation to the widening of Purchase street. He established his factory there some fifteen years since, and it took all that he had to put his business in operation. The widening would take fifteen to twenty feet of his land, and would ruin it for his business. On his own account, and for that of his sons, if he was obliged to remove, he wished to have sufficient notice, so that they could establish their business elsewhere without injury to them.

The several orders were recommitted.

Alderman Talbot, in reply to inquiries of Mr. Doran, relative to being turned out of his property without notice or time to remove elsewhere, stated that it would take six or eight weeks to get the measure passed through the City Government, and that it could not be earlier than the middle of June or 1st of July before anything could be done in disturbing the owners of the property.

THE COLISEUM ON THE COMMON.

Alderman Bradlee read remonstrances from Wm. Gray, Gardner Brewer & Co. and 650 others, against the erection of any building on Boston Common, and moved that the remonstrants be heard on the subject.

It was voted that the remonstrants be heard, and following the announcement that any person present who desired it had an opportunity to give his views in favor of the remonstrance, there was a considerable pause.

George B. Emerson said he had been invited by several persons to say something on this subject. He was not interested personally in any degree, in relation to the occupation of the Common, but on account of his love for beauty, and the interest which a great number of people have in the Common, as their only place of enjoyment in the warm season of the year, he desired to say something in their behalf. He usually spent the summer season by the seaside, and consequently had no personal interest.

As he walked through the northerly part of the city, where the people are crowded together, with little enjoyment of air, he thanked God that they had the Common to which they could resort as their breathing place, and as the play-ground of the young. The population of the city is becoming more and more dense every year, and the playground of the poor more limited, and he deprecated every measure which should lessen their means of enjoyment. The building proposed would have that effect, and as a precedent he objected to it, as calculated to lead to great evil.

Rev. Dr. S. K. Lothrop said he had been desired by some of his friends to come here and say something on the subject. He hardly thought it necessary to say anything, since the ventilation of the matter had been so thorough in the newspapers, and the argument had been all on one side, and it could hardly be supposed that any other course could be taken than that the city fathers would reconsider their action of last week.

The question first to be considered was whether the Common was necessary for the proposed building. He thought it was not the most convenient spot for such a building, and not necessary that it shall be placed there. There were other locations on the Back Bay much more suitable, and as convenient. That point settled, he did not suppose a building could be erected on the Common without piles. It was within the memory of many people when most of the parade ground was a quagmire.

It was not necessary that one should be an architect to decide the question whether or not there should be pile driving. As a member of the School Committee, he could not consent that the children who were to take part in the proposed concert should be subjected to any such risk as to go into a building which would be unsafe. The building once commenced, it would be found necessary that piles should be driven, and having authority to do so, then the question would arise whether the building should not be permanent.

A building for large concerts and such like uses was necessary for great occasions, and he thought it would be better to put up a permanent building elsewhere. He did not believe that such a building would ever be permitted to remain on the Common, for public opinion would not allow of it. Taking into view all the important questions in relation to the matter, although he was in sympathy with the proposed festival, he did not think that the parties had any special claim upon the people for the use of the Common.

Beyond all these questions the great question arose whether the city had a right to allow such a building to be put up.

Alderman James stated that the City Solicitor had given his opinion, in writing, that there is no legal objection to putting up such a building as was proposed.

Mr. Lothrop inquired how long the Common would be occupied by the building.

Alderman James stated that it might be three months, counting the time occupied in putting it up and the time of its removal.

Mr. Lothrop said if it could be so occupied three months, why not three years, and parties might claim it on the ground of precedent with equal force as to its being for the public good. It was a serious question for this Board to consider, and he hoped the action of last week would be reversed.

Alderman Bradlee offered a remonstrance from school boys against the use of the Common by the proposed building; thereby restricting their play ground.

Dr. Jacob Bigelow said he should not be considered as belonging to that class. He was requested to give a medical opinion as to the effect on the general health by the occupation of the Common by a building, but he was unwilling to give such an opinion on a short notice, and did not desire to weaken the arguments which had been offered on the subject with so much force. He would not call in question the integrity of the City Government in this measure, but would suggest that the City Hall and the addition to the State House had cost much more than was anticipated; and while he would not either question the good intention of the men who countenance this matter, he feared that the cost would be so much greater than is estimated, that when the building is once up and it is found that the expenditures much exceed the receipts, the parties will come to the City Government with a plea for the extension of time in which it shall remain, that they may be reimbursed.

In regard to convenience and accessibility, the lands on the Back Bay were easily accessible, and the plot in the vicinity of the Institute of Technology was reached by the cars which were frequently running. He did not believe this building would affect the public health, but he was a believer in an abundance of air as necessary to the public health, and that the city was already too much crowded for a free circulation of air.

Henry B. Rogers said he did not make objection on the ground which had been stated, but chiefly for the reason that he had always looked upon the Common as a sort of sacred place. He had been about the world considerable, and had seen larger parks, but none more beautiful than Boston Common. It was a place of beauty and of enjoyment, not for the resident on Beacon street alone, but for every man in the city. On Sunday the poor man and his children can partake of the enjoyment of the place, and he would not part with the privileges which it afforded to all classes for his

right hand. It was the only breathing place we have, and should not be restricted.

Mr. Rogers further objected on the ground of precedent, assuming that if once intruded upon parties having other objects in view would urge that it had already been granted for the furtherance of private interests, and the Common would come to be used for anything and everything. The Common was not intended for one man, but it was for every man's benefit, and no precedent should be established granting its use to any one man, to the injury of the whole community.

Mr. J.T. Prince said he coincided with everything which had been said, but there was one ground which had not been mentioned. He objected to it on the ground of policy.

Mr. G. Bradford said his words had been taken away by a previous speaker. The Common was not for the special benefit of the people of Beacon street, who are away most of the summer, but for the poor, and as he sometimes walked there on Sunday, among the multitudes, he could not see one person whom he knew.

This project was one of speculation, to which railroad corporations and keepers of hotels had subscribed. It was simply a question of profit and loss, and if successful, large amounts of money will hereafter be paid for the use of the Common. He hoped it would not be for this administration of the City Government to establish the bad precedent of bartering away the use of the Common.

C. H. Dalton, a signer of a remonstrance, wished to correct an impression which was prevalent, that the signers of the remonstrance were opposed to this jubilee. That was not true, for he was cognizant of the movement of the remonstrants. He read a letter from some persons who had a communication with Gov. Claflin, relative to a plot of land in the vicinity of the Institute of Technology. The Governor assented to the proposition while he said it might be necessary to procure a resolve from the Legislature for the occupation of the plot of ground.

It was in the memory of many persons that a proposition was made a few years since to put up barracks on the Common for the reception of volunteer soldiers, but this was denied for such use, and he thought that if it could not be used for the accommodation and comfort of enlisted soldiers, it should not be used to celebrate a peace which those same soldiers achieved.

Alderman Bradlee said he was heartily in sympathy with the remonstrants who had been heard, and not deeming it necessary to say anything on the subject, he would submit the following order, which he trusted would be adopted:

Ordered, That the order granting the use of the parade ground on Boston Common to the Building Committee of the subscribers to the Musical Peace Festival, for the purpose of erecting a temporary structure thereon, be and the same hereby is rescinded.

Alderman Baldwin, in opposing the adoption of the order, said he thought the remonstrants occupied a singular position. He did not doubt that all of them would say that they were in favor of this great enterprise. Their position was something like that which would be exhibited by a person who should throw out his invitations all over the State for a grand banquet, and when his guests arrived, they should find the parlors and other rooms closed to them, and he should say to these guests there is the kitchen, go in and have a good time. In his view, the remonstrants were generally those who were opposed to the enterprise and had not subscribed anything towards carrying it out.

The parties who had petitioned for the use of the Common for this enterprise had subscribed $91,000 to carry it out, and had exertions been made to obtain petitions, they might easily have been had at great length. In looking over the names of the remonstrants, it will be found that many of them are non-residents. He had no objections to non-residents signing such petitions, but the Mayor and Aldermen had a right to know where petitioners reside. The parties who had subscribed to this enterprise believed no place to be so suitable as the Common, and he did not believe that the receipts would be more than one-third anywhere else.

Alderman Baldwin read the names of many of the subscribers, and remarked that, as a looker-on, to his view this was the only place in the country where an indifference existed on this subject. All over the country there was a strong feeling in the matter. So far as related to the legal right to use the Common for this purpose, he would like to know where we have to look for that right if not to the opinion of the City Solicitor. Many persons look at the matter from a wrong standpoint.

This was not like the exhibition of a menagerie or other exhibition for pecuniary gain, and it could never be claimed as a precedent for such purposes. It was a matter of great interest to the city, in its advantages and prosperity. Men of good judgment have estimated that if properly carried out it would in all probability bring one million of strangers to this city. If it shall so prove, each one of these persons will leave or spend here $50, making an aggregate of $50,000,000.

It was objected that this use of the Common would deprive the citizens of their rights. The Common contains forty-eight acres, and this building will occupy one acre. The war which we had gone through had alienated the Southern people from us. That is now over, and our interest should be to promote fraternal feeling. This project was calculated to promote such a feeling; and there could be no better way than in a grand anthem of praise to God for the return of peace.

Alderman Richards stated that he had already given his reasons against the measure, believing that the beauty of the Common would be destroyed during the Summer, and that it would be a bad precedent. It had been said that 999 out of every 1000 would be in favor of the Common for the proposed building. Since the last meeting of the Board that impression had been removed, for he had found two out of every three he met opposed to the use of the Common.

Another statement was that while piles would be needed in St. James park, none would be required on the Common. Gentlemen who formerly believed the Common firm enough without piling, now entertained doubts. He had no doubt that if the foundation were made broad enough, the building would stand safely. If the location was not changed by the board, it was advisable for the gentlemen interested in the erection of the building to consider whether the questions as to the suitableness of the site, the money considerations involved, and the desirableness of harmony among the citizens, did not make it expedient to erect the building elsewhere. He did not believe if any person had determined to come to the city on account of the festival, that they would be deterred on the ground of its locality, whether on the Back Bay or at the South End. It would not affect it to the amount of five per cent.

Alderman Richards said he had noticed in one of the daily papers a remark that the passing of the order at the last meeting of the Board was a trap, or trick. That was not true. He was instrumental in bringing on the action, and did so in the belief that, as the matter had once been referred to the Committee on the Common, it was desirable the question should be taken at once, not doubting that it would be rejected. Had the order laid over, until remonstrances had been received, it would probably never have been adopted.

Alderman Pratt remarked that he had but little to say. From what had been said it might be inferred that the members of the Board of Aldermen were wanting in local pride regarding the uses of the Common.

As a Boston boy he would not yield to any one in relation to his regard for the Boston Common, believing in the Hub to the fullest extent, and in Boston Common. He was glad to see so many persons present to take an interest in this matter. It was an assurance that when any encroachments on the Common shall be attempted which are not for the public benefit the people will be alive to the matter, and will prevent its perversion from the uses of the public. He did not believe the use of the Common would be granted recklessly or thoughtlessly, regardless of the tastes of the people. The Board of Aldermen had to look at the subject as it affected trade and enterprise, and in its action had simply regarded the greatest good of the greatest number.

It had been said the boys were opposed to this use of the Common. He was in favor of giving the boys a place for their enjoyment. Let any one cross the Common in the season of base ball, and it is at the risk of his limbs, and he regarded the playing of base ball on the Common as a nuisance. He had been in favor, and should advocate the playing of base ball some whereelse. He hoped

the Board of Aldermen would adhere to its vote on this subject.

The question was taken on the passage of the order of Alderman Bradlee, and it was rejected.

COMMUNICATION FROM THE SCHOOL COMMITTEE.

A proposition from the School Committee for a convention April 13th, to fill a vacancy in that Board occasioned by the resignation of James E. Marsh, a member from Ward Thirteen, was concurred in.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That the City Treasurer be directed to refund to Isaac Samuels the amounts paid by him in 1861 for tax titles on portions of two houses on Springer place and Eighth street, together with interest thereon at the rate of six per cent. per annum, amounting in all to $28 84; said sum to be charged to the receipts for taxes.

Ordered, That there be paid to John L. Roberts the sum of $800, for land taken and damages occasioned by the widening of West Cedar street.

Ordered, That there be paid to the heirs of Elizabeth Randall the sum of $2008, for land taken and damages occasioned by the widening of Tremont street, $2000 for damages and $8 being the amount collected for the sale of old building material.

Ordered, That there be paid to Mary V. Randall the sum of $7060, for land taken and damages occasioned by the widening of Tremont street, $60 being the amount received for old building material.

Ordered, That there be paid to the heirs of Sarah Holmes $1616 28, for land taken and damages occasioned by the widening and grading of Oliver street, $1332 10 awarded for land, and $284 18 for for interest thereon at six per cent. from Sept. 6, 1865.

COMMON COUNCIL PAPERS.

Petitions from the Common Council was referred, in concurrence.

The nomination and confirmation of Alvah H. Peters, as Assistant Messenger of the City Council, was concurred in.

The report on nomination of Second Assistant Assessors, was recommitted, in concurrence.

The following orders were passed, in concurrence:

Order to pay National Webster Bank $25, the amount of a lost coupon of City Stock.

Order proposing amendment of Ordinance, so that the Committee on Public Instruction may purchase sites for Schoolhouses.

Order to transfer from Reserved Fund $14,000 to Health, $5000 to City Hospital, $1000 to Cemeteries and $1000 to Fire Alarms.

The report and order for removal of stable from Allston Street Schoolhouse yard being under consideration,

Alderman Pratt wished to know whether the land on which the stable stands might not be sold to advantage, believing that it was not required for the schoolhouse yard.

Alderman Richards stated that the building adjoining the stable was about to be removed, and as they were joined in part together, it was thought best to remove it; it had also been complained of, and was a detriment to the schoolhouse.

Alderman Talbot stated that the land upon which the stable stands, as back land, would not bring much, and it would not be desirable to sell it.

The order was passed.

The election of an additional Assistant Engineer of the Fire Department for East Boston was taken up, when the report of the committee to nominate a candidate was accepted, and Joseph Barnes was elected by a unanimous vote, in concurrence.

The election of one First Assistant Assessor was taken up, resulting as follows:

| | |
|---|---|
| Whole number of votes | 12 |
| Necessary to a choice | 7 |
| James H. Tallon | 8 |
| Theophilus Burr | 3 |
| Chas. E. Grant | 1 |

Mr. Tallon was declared to be elected in non-concurrence.

SALARY BILL.

The amendments made by the Common Council to the salary bill were taken up for concurrence.

The proposition for the increase of the salary of the City Physician was first considered.

Alderman Talbot stated that the matter of salaries had been well considered, and he hoped the action of the Board would be adhered to.

Alderman Pratt inquired whether the salary of the City Physician had not been reduced?

Alderman Talbot replied that it had.

Alderman Pratt said it was immaterial, but if, as had been asserted the perquisites of the office were greater than the salary, he thought the salary should be increased to a sufficient sum to secure the best services, and the perquisites should be cut off.

After some further debate on the subject, the amendment of the Council was non-concurred in.

The several other amendments for decrease of salary of Superintendent of Faneuil Hall Market, and increase o salary of the Deputy Superintendent, were non-concurred in.

The amendment to increase the salary of the Chief Engineer of the Fire Department was lost by a tie vote, six to six.

APPROPRIATION AND TAX BILL.

The Appropriation bill was taken up, its several items considered and approved, and the orders accompanying it, relating to the manner of disbursing money and laying a tax to meet the expenditures of the city for the next financial year, were severally passed in concurrence.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licensing four newsboys, and the transfer of several wagon licenses. Severally accepted.

Alderman White also reported in favor of a license to J. E. Davis, to give a concert at Mechanics Hall; to James B. Gorman to give an entertainment at 119 Haverhill street; to H. B. Goodwin and others, to give a concert at Institute Hall; to Robinson & Co. for a velocipede rink at 587 Washington street, and G. F. Cobb, velocipede rink on Tremont street, opposite Phillip street. Severally accepted.

Alderman Seaver, from the Committee on Police, on the subject of an alleged dangerous wall at 23 Rochester street, reported that the said wall was not so dangerous as to require the interference of the Board, and that no further action was necessary on the subject. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Fairbanks, from the Committee on Sewers, reported leave to withdraw on the petition of Luther Farwell and others, for the extension of the Shawmut avenue sewer to Sterling street, and on petition of the House of the Angel Guardian for an abatement of assessment for sewers. Severally accepted.

Alderman White, from the Committee on Health, reported in favor of the petitions of Frederick Sowden and John Kelley, for leave to sprinkle streets. Accepted.

Alderman Richards, from the Committee on Public Buildings, who were directed to select a site in South Boston, and procure plans and estimates for the erection thereon of a Hook and Ladder House, made a report that after consultation with the Committee on the Fire Department, it has been decided that the most favorable location for the proposed house is on the lot of land on Fourth street, owned by the city and partly occupied by the ward-room building and engine-house No. 1. The Committee have procured plans which, with the location, have been approved by the Committee on the Fire Department, and from estimates which they have received, find that it will cost $16,000 to erect the building. They therefore recommend the passage of the following orders:

Ordered, That the Committee on Public Buildings be authorized to build a Hook and Ladder House on Fourth street, at an expense not exceeding $16,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $16,000, to be appropriated for the erection of a Hook and Ladder House in Fourth street.

Read twice and passed.

Alderman White, from the Joint Standing Committee on Public Instruction, to whom was referred the request of the School Committee that the City Council would build a primary school-

house within the Brimmer District, in or near the Church street district, made a report that they had made a careful inspection of the present primary school accommodations in this district, and find that they are in such a condition as to interfere seriously with the continued prosperity of the school.

The average number of pupils attending the primary schools in the district is 525. The building in Newbern place, containing three rooms, is very old, having been in use more than thirty years, and badly located. The six room building on Warrenton street, never properly adapted for school purposes, has been rendered still more unsuitable by the widening of Tremont street, by which the yard has been contracted, and air excluded.

The Committee are of the opinion that two new school-buildings should be erected in this district without delay, as thirteen classes are to be accommodated, and one building will not be sufficient. Two lots have been selected on the Church street district; one on Berlin street, of sufficient size for a ten-room schoolhouse, and the other on the corner of Fayette and Church streets, for a six-room schoolhouse—which will be ample for the present and prospective wants of the district. The Committee recommend the passage of the accompanying orders:

Ordered, That the lot of land belonging to the city of Boston situated between Berlin street and Madison place, as shown on a plan of the Church street district, drawn by the City Surveyor, containing 10,800 square feet, more or less, be set apart for the purposes of a Primary School; also that the lot of land belonging to the city situated on Church street, between Fayette and Knox streets, containing 5000 square feet, more or less, be set apart for the purposes of a Primary School.

Ordered, that the Committee on Public Buildings be requested to obtain plans and estimates for a primary school building, to contain ten rooms and a hall, to be located on the lot of land set apart for the purpose on Berlin street: also to obtain plans and estimates for a primary school building, to contain six rooms and a hall, to be located on the lot of land set apart for the purpose, on the corner of Church and Fayette streets; the plans for said buildings to be approved by the Committee on Public Instruction, and the expense of procuring the same to be charged to the appropriation for Primary Schools.

A motion was made that the orders be read a second time and passed.

Alderman Talbot suggested that the orders be divided, in the belief that one only of these schoolhouses was indispensable at the present time. He thought that the schoolhouse on Warrenton street would answer for the present.

After remarks by Aldermen Pratt and Richards in favor of the passage of both of the orders, they were read again and passed.

Alderman Richards, from the Joint Standing Committee on Public Buildings, to whom was referred the petition of Engine Company No. 9, for the alteration and repair of the house occupied by them, made a report that they have carefully examined the subject, and in their opinion the repairs should be made. From estimates which they have received, they find that it will cost $9500 to make the necessary repairs and alterations, and they therefore recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to alter and repair Engine House No. Nine, at an expense not exceeding $9500, to be charged to the appropriation for Public Buildings.

Read twice and passed.

ORDERS PASSED:

On motion of Alderman Seaver,

Ordered, That in addition to the ferry accommodations heretofore ordered by this Board, to be furnished by the East Boston Ferry Company, said Company shall run another ferry boat between the landings formerly occupied by the People's Ferry Company from seven o'clock A. M. to seven o'clock P. M.

On motion of Alderman Richards,

Ordered, That the Committee on Public Buildings be allowed for expenditures on heating apparatus and radiators for Lawrence Schoolhouse, the sum of $700, in addition to the amount heretofore allowed, said amount to be charged to the appropriation for grammar schools. Public Buildings.

On motion of Alderman Baldwin,

Ordered, That from and after the 1st of April, 1869, until otherwise ordered, there be allowed and paid to Co. B, 1st Battalion of Cavalry, M. V. M., $300 per annum for rent of armory, in addition to the amount heretofore allowed.

Ordered, That the rooms now occupied at Waitt's Hall by Co. K of the First Infantry be approved as suitable for an armory, at a rent of $300 per annum, instead of $250, as heretofore ordered, said rent to commence from 1st January, 1869.

ORDERS OF NOTICE.

On the petition of Hill Brothers for leave to locate a steam engine and boiler on F and Third streets; hearing Monday, April 12th, 4 P. M.

On the proposed construction of a sewer in High street, between Federal and Summer streets; also rebuilding of the sewer in Blossom street, between Cambridge street and Vine street; hearing Monday, March 29, 4 P. M.

On the proposed extension of Vernon street to Tremont street, to include the street known as Factory street, hearing Monday, April 5, 4 P. M.

On the proposed extension of Concord street sewer to South Bay, and of Tremont street sewer from Newton to Lenox streets, hearing on Monday, March 29, 4 P. M.

On the proposed construction of a sewer through Dale, Hawthorne and other streets, hearing Monday, March 29, 4 P. M.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## MARCH 25, 1869.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, William G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of Solomon S. Gray and of the New England Female Medical College, were severally referred in concurrence.

The order for the appointment of James K. Crowley as a culler of hoops and staves, in place of Benjamin Abbott, declined, was concurred in.

The order authorizing the additional sum of $700 to be expended for heating apparatus for the Lawrence School House, was referred to the Committee on Public Instruction.

The orders to set apart two lots of land, one between Berlin street and Madison place, and the other on Church street, between Fayette and Knox streets, for primary school purposes; and to procure plans and estimates for primary school buildings to be erected on said lots, were read once.

The order to refund to Isaac Samuels the amount (with interest thereon) paid by him in 1861 for defective tax-titles on estates in Springer place and Eighth street, was read once.

The following orders were each read twice and passed in concurrence:

Order authorizing repairs on Engine House No. 9, at an expense not exceeding $9500.

Orders authorizing a hook and ladder house to be erected on Fourth street, at an expense not exceeding $16,000, and for a loan of $16,000 to be appropriated therefor.

The election of one First Assistant Assessor was taken up.

Mr. Flynn of Ward Seven said it had been circulated here this evening that Mr. Tallon had withdrawn his name as a candidate. That statement was not true, and Mr. Tallon is still a candidate.

Mr. Judson of Ward Fourteen said it had also been circulated that Mr. McIntosh had withdrawn his name as a candidate. That was a mistake; for he had not only not withdrawn his name, but had no thought of such a thing. He hoped, therefore, that members of the Council would vote for his election.

Messrs. Hobbs of Ward Fourteen, Lucas of Ward Seven, and Judson of Ward Fourteen, were appointed a committee to receive, sort and count the votes. The committee reported as follows:

| | |
|---|---|
| Whole number of votes | 52 |
| Necessary to a choice | 27 |
| James H. Tallon | 23 |
| Theophilus Burr | 27 |
| Wm. H. McIntosh | 2 |

Mr. Burr was declared to be elected, in non-concurrence.

SALARY BILL.

The Salary Bill was taken up, the question being on adhering to certain amendments made by the Council, in which the Board of Aldermen had non-concurred.

Mr. Gray of Ward Twelve moved that the Council adhere to its former vote on all of the amendments.

Mr. Rich of Ward Fourteen called for a division of the question.

Mr. Ingalls of Ward Twelve wished the motion for a division had not been made. The Council had voted twice for the amendments, and it would be undignified to continue to vote upon them. The proper course to pursue was to adhere and appoint a Committee of Conference, which would save further trouble.

The question was taken upon each of the amendments, relating to the salaries of the City Physician, the Superintendent of Faneuil Hall Market, the Deputy Superintendent of the Market, and the Chief Engineer of the Fire Department. On each of them the Council voted to adhere.

On the motion to appoint a Committee of Conference, the vote was 30 to 12.

Messrs. Gray of Ward Twelve, Wells of Ward Three, and Hall of Ward One, were appointed the Committee of Conference on the part of the Council.

UNFINISHED BUSINESS.

Mr. Keith of Ward Fifteen moved that an ordinance to amend an ordinance in relation to streets, printed City Document No. 24, 1869, be passed over to the next meeting, there being no immediate action required in regard to snow and ice.

Mr. Ingalls of Ward Twelve moved that it be recommitted to the Committee on Ordinances, who would have a plenty of time for looking after the various provisions. That would be the fairest way to dispose of it.

Mr. Keith accepted the motion as an amendment to his motion, and the ordinance was recommitted.

PETITIONS PRESENTED.

J. A. Tucker and others, that Chadwick street may be extended; L. F. Whiting and others, that Orchard park may be graded and put in order; Boston Lead Company and others, that Albany street may be widened and extended. Severally sent up.

Smith, Jacobs & Co. and others, that an alarm bell may be placed on the Novelty Works. Referred to the Committee on Fire Alarms.

REPORTS OF COMMITTEES.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, who were directed to consider the subject of ventilating the Council Chamber, having considered the subject, submitted the following report:

After examining the various systems of ventilation submitted to them, they are of the opinion that the one most likely to give satisfaction is that described in City Document Number 86 of 1868. Your committee have received a communication from Mr. Luther Robinson, the agent of the United States Ventilation Company, in which he proposes to ventilate the Council Chamber in the manner described in the above mentioned document, for the sum of $1600, guaranteeing a satisfactory result, and in case of failure, that no charge will be made, and they would recommend that they be authorized to contract with him on these terms.

They would also ask to be authorized to ventilate the staircase hall and the corridors of the City Hall, by raising the skylights in the roof, and are of the opinion that should this be done, the ventilation of the entire building will be much improved. They therefore recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to contract with the United States Ventilation Company for the application of their system of ventilation to the Council Chamber; and that they also be authorized to raise the skylights in the roof of City Hall, at an estimated cost of $2000, to be charged to the appropriation for public buildings.

The order was read once.

A suspension of the rules was moved, that the order may take its second reading at once, and be passed.

Mr. Keith in explanation made some statements relative to the various measures taken last year in relation to the ventilation of the City Hall. The propositions from various parties varied in amount from $4900 to $30,000. Mr. Robinson's was the only one based on the proposition to do the work at his own risk, and not to claim any pay unless the ventilation should prove satisfactory.

The proposition is renewed by Mr. Robinson, to ventilate the Council Chamber for $1600, on the same conditions, and if that shall prove satisfactory, he is willing to renew his entire offer of last year for the ventilation of the City Hall.

The order was read again and passed.

The following orders were also read a second time and passed:

Order requesting the Mayor to petition the General Court for authority to lay water pipes through Winthrop, across Shirley Gut, to Deer Island.

Order authorizing an additional expenditure of five hundred dollars for repairing the boats and scows connected with the steam dredging machine.

NORMAL SCHOOLHOUSE.

On motion of Mr. Keith the order authorizing the erection on Newton street of a Girls' High and Normal Schoolhouse, at a cost not exceeding $170,000, and authorizing a loan of $170,000 to be appropriated therefor, was taken from the table for consideration:

Mr. Keith gave some information relative to the previous action of the Common Council on this subject. The subject had been under consideration for three years, and last year special attention was called to the matter. After long and careful examination by the Committee on Public Instruction and the Committee on Public Buildings, they were both unanimously of the opinion that the place selected was the most advantageous in every respect for the purpose. The land is firm, of a good bottom, not requiring pile driving, the situation is between two streets, with a church on one side, giving light on the four sides, and the means of access are of the most favorable character between Tremont and Washington streets.

In its location, it is about 18,000 feet from the centre of East Boston, 12,000 from Grove Hall, and about 8000 from the centre of South Boston, and is much more accessible than any point on the Back Bay lands. It has the unanimous approval of both the Committee on Public Instruction and the Committee on Public Buildings. Plans and estimates have been obtained, varying considerable in amount, the difference in favor of the plan accepted on mason work being $35,000. It is believed these estimates are much more favorable than can be had two weeks hence. With the approbation of every committee, and the approval of the School Board, the order should be passed at once.

Mr. Rich of Ward Fourteen said he wished to modify a statement made by him at the last meeting. The matter was not acted upon in the general committee, but it was referred to a sub-committee with full powers, and it now comes on their action and recommendation.

The order was passed, yeas 43, nays 1—Frost.

Mr. Emerson of Ward Six offered the following order:

Ordered, That $1500 be added to the appropriation heretofore authorized to be expended by the Committee on Printing, for reporting and publishing in a daily paper the proceedings of the City Council during the year ending July 1, 1869, said sum to be charged to the appropriation for printing.

Mr. Flynn of Ward Seven inquired if the order came from the Committee on Printing.

The Chair replied that it did.

Mr. Wadsworth of Ward Four asked for the reasons for voting for more money for this object.

Mr. Nelson of Ward Nine stated that the contract for the reporting and publication of the proceedings of the City Council, was made by a committee of the last Council, and the appropriation was based on the estimate that one column would be enough for the proceedings of each branch weekly. It had been found necessary by the great amount of business of the City Council to make the reports very much longer, and this amount would be required to cover the expense. The Committee on Printing had so husbanded their resources that the amount of $30,000 appropriated for last year had not been all expended, and this sum would come out of that amount.

Mr. Rich of Ward Fourteen was willing to allow this to go on until the appropriation was exhausted, so long as it was nearly exhausted. All of the daily papers published the proceedings of the City Government to a sufficient extent, as much as their importance required, and there was not anything of so much interest as to warrant extended reports. He hoped the order would not pass.

A synopsis of the proceedings was as much as was generally read, and no one would care about reading long reports unless they have axes to grind. He would not have one paper paid for making reports so long that they will not be read. Let them all publish what they wish, and what they believe the public require. Beyond that it was not necessary to go.

Mr. Nelson of Ward Nine said that so far as the publication was concerned, it met with much favor. The public could not know too much of what was done and said in the City Council. If such publications had been continued since the adoption of the city charter, it would have been worth thousands of dollars. The publication met with universal expressions in its favor. It was now simply the carrying out of what the last City Council had contracted for. When the time comes for a renewal of the contract, then the question may be considered whether it is expedient to continue it.

Mr. Rich inquired whether these full proceedings were published in a paper having the largest circulation.

Mr. Nelson replied that these proceedings were published in a paper which reached as many residents of Boston as any other paper.

Mr. Pickering of Ward Fourteen said he hoped the publication of these proceedings will be continued. He considered them to be valuable to the public and interesting to the members themselves. They went into the hands of the members of the City Council, and by reading them over they come here with minds refreshed as to their proceedings, and obtained a better knowledge of what was going on in each branch than they could have otherwise.

Mr. Gray inquired if the printed sheets, containing the reports of the proceedings and debates, now furnished to members, would not stop, if the appropriation ceased. This question was answered by the member from Ward Nine in the affirmative.

Mr. Rich made an inquiry relative to the reports which the members received, which appeared to him to be almost verbatim of those in the Transcript.

Mr. Nelson replied that they were the same.

Mr. Keith of Ward Fifteen said the expediency of the matter was not under consideration now. The City Government was bound by a contract made last year, which must be carried out. Beyond that time the Council may determine its future action.

When the matter first came up last year he was in serious doubt about the policy, but now he had no doubt about its wisdom and expediency. From these reports he derived great assistance, while from the old reports in the papers he received but little light. These reports were literally a transcript of the doings of the two branches, and showed the exact state of the business before them. It was a small sum to pay, in consideration of the benefits to be derived.

Many persons read the reports with great interest and great care, and he believed that if submitted to the public the decision would be in their favor to a large extent. When petitions are presented to the City Council, the people can learn what has become of them, to what committees they are referred, and when they can be heard on the subject.

Mr. Wadsworth said that when he made his inquiry, it was for information. He was satisfied on that point. A contract had been made for a specific amount of space, and as reports had been much extended, the city would be bound to pay under the contract.

Mr. Rich said if a contract was made for a year, it was not necessary that this order should be passed. The publishers of the paper had their legal remedy and could secure their rights. He questioned the propriety of publishing these proceedings in a single paper. No paper should be preferred beyond another. If one was to be paid for the publication, so all of them should be.

This order did not even specify that the pay should be continued in the same paper in which the proceedings had been published. If the committee had made a contract, the city would be bound to pay it, but there was no evidence that there was a contract. Until it was shown that there was such a contract, he should not vote for the order.

Mr. Jenks of Ward Three said he voted for the original appropriation, and if he had known that it would be larger he would have voted for an additional amount. He did not believe the committee had made a contract which the city was not liable for. If there had not been money enough appropriated, it should be given to them.

The order was read again and passed.

Mr. Nelson of Ward Nine, from the Committee on Printing, submitted the following order:

Ordered, That the Joint Standing Committee on Printing be authorized to contract with the proprietors of the same daily and weekly papers now under contract to do the city advertising, for in-

serting all the usual official advertisements of the City Government for one year from the 1st day of May, 1869, for a sum not exceeding $500 for each daily paper and $187 for each weekly paper, said sums to be charged to the appropriation for printing.

Daily Papers—Advertiser, $500; Journal, $500: Post, $500; Transcript, $500; Traveller, $500—$2500.

Weekly Papers—Gazette, $187; Express, $187; Courier, $187; Commonwealth, $187; Suffolk County Journal, $187; Roxbury Gazette, $187; Pilot, $187; Times, $187—$1496. Making a total of daily and weekly papers of $3996.

Mr. Nelson moved a suspension of the rules, for the passage of the order, for the reason that the existing contracts would soon expire.

The rules were suspended and the order was read a second time and passed.

CELEBRATION OF FOURTH OF JULY.

On motion of Mr. Gray of Ward Twelve, the order authorizing suitable arrangements to be made for the celebration of the ninety-third Anniversary of American Independence was taken from the table.

Mr. Jenks of Ward Three moved the postponement of the consideration of the order for four weeks.

Mr. Judson of Ward Fourteen moved its postponement eight weeks.

Mr. Gray said he had been assured by Mr. Bugbee, Clerk of Committees, that the order should be passed at once, in order to give time for the orator of the day to prepare himself, and to make contracts for fireworks, &c.

The amendment was lost.

Mr. Jenks urged in support of his motion that he wished to secure as large a portion of the funds for the celebration out of the amount appropriated as possible, which could be done only by shortening the time. If the committee should be as large as last year, the appropriation would be expended and a meaner entertainment afforded than a year ago, if that were possible. As to the necessity of time for preparation by the orator of the day, the subject had become so threadbare that the idea was preposterous.

Mr. Hall of Ward One, did not believe there would be too much time in which to make the necessary arrangements. The expenditure would depend upon the character of the Committee, and not upon the length of time for the expenditures.

The motion for postponement was lost, when the order was read a second time and passed.

Mr. Rich moved that the Committee on the celebration of the 4th of July consist of one from each Ward, on the part of the Council.

Mr. Jacobs of Ward Five stated that the Committee would have a great deal to do, and that one from each ward would be too small. He moved that the number be two from each ward.

Mr. Batchelder of Ward Four said that two from each ward would make nearly as many as last year, when the Committee was too large to work to advantage.

Mr. Wells of Ward Three said he was on the Committee last year, and did not find it too large.

The motion to amend was lost—15 to 23.

Mr. Jenks moved to amend by making the number eight, instead of fifteen.

Mr. Osborn of Ward Six inquired how many were on the Committee from the other Board.

The Chair stated that there were five.

Mr. Wadsworth of Ward Four said that twenty in all would be large enough.

Mr. Osborn said he would go still farther in the reduction of the committee, as a large one would be too cumbersome, and he hoped the amendment of the gentleman from Ward Three would be adopted.

Mr. Nelson of Ward Nine inquired why the committee should be three times as numerous from this branch as from the other.

Mr. Rich said he had no particular object in fixing the number, except that the Board of Aldermen had more than one-third of their number, and one from each Ward of the Council would only give one-fourth. There was no reason why there should be an exact proportion.

The Chair remarked that he should take the vote on the largest number first, and the motion to make the number one from each Ward was carried.

Mr. Jenks inquired why a motion to amend by making the number smaller was not in order?

The Chair stated that by the rules the question should be first taken on the larger number.

The Committee was announced by the Chair, as follows:

Ward One—Young; Two—Keany; Three—Belknap; Four—Talbot; Five—Flanders; Six—Emerson; Seven—Flynn; Eight—Bond; Nine—Leighton; Ten—Butler; Eleven—Learnard; Twelve—Gray; Thirteen—Ryan; Fourteen—Hobbs; Fifteen—Kingsbury.

On motion, the President was added to the Committee.

An order was passed to pay bills for services rendered or materials furnished by persons connected directly or indirectly with the City Government.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## MARCH 29, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Thirty-six traverse jurors were drawn for the Superior Court for criminal business.

APPOINTMENTS MADE AND CONFIRMED.

Sergeant Edward Y. Graves, to be lieutenant of police. George F. Gould, to be sergeant of police.

P. P. Pettis, special police officer, without pay, for duty at the moulding mill, corner of Merrimac and Causeway streets.

The nomination of Edmund H. Stevens, by the Port Physician, as his assistant, was also confirmed.

PETITIONS PRESENTED AND REFERRED.

A. D. Hodges and others, that Cliff street may be laid out as a public highway.

George W. Fowle and others, for the extension of Lamartine street to Centre street.

G. W. Blake and others, that Albany street may be extended to Warren street.

Severally referred to the Committee on Streets.

Charles F. A. Feyhl, for compensation for change of grade in Ruggles street.

Philip N. Colby and others, that the name of Taylor street be changed to Dwight place.

James H. Wilder and others, that Court street be changed to Cambridge street, from Sudbury street to Bowdoin square.

Lucius B. Marsh and others, that the portion of Warren avenue between Pembroke and Newton streets be called Columbus avenue.

Jewett & Pitcher, for a location under the act authorizing them to construct a railroad track at East Boston.

E. S. Johnson, for the grading of Lenox street, east of Washington street.

Severally referred to the Committee on Paving.

Augustus Bacon, for leave to cut down a tree in front of No. 13 Auburn street. Referred to Committee on Paving, with full powers.

East Boston Ferry Co., for increase of tolls. Referred to Committe on Ferries.

G. W. Tuckerman and others, for a sewer in F street, from Seventh to Eighth street. Referred to Committee on Sewers.

Wm. H. Hill and others, against a wooden building No. 5 North Russell street, and requesting its removal, as a nuisance. Referred to Committee on the Fire Department.

B. W. Carney, for license for a bowling saloon at No. 672½ Washington street. Referred to Committee on Licenses.

Thomas C. Porter and others, for the use of Faneuil Hall, April 26. Referred to the Committee on Faneuil Hall.

John H. Bellamy & Co., that the city would adopt their apparatus for protection of hose across horse railroad tracks. Referred to Committee on Fire Department.

George F. Kendall, for lease of Madison square for ball-players, &c. Referred to Committee on Common and Public Squares.

R. Anderson and others, for the grading of Cedar square. Referred to Committee on Common.

C. F. Karcher, for leave to erect a stable on Eighth street. Referred to Committee on Health.

Geo. W. Carnes & Co., Wm. G. Harris and 975 others, mercantile houses, and of J. K. Southmayd & Co. and Geo. P. Davis and 53 others, mercantile houses, for a change in the ordinance respecting projecting signs. Referred to Committee on Ordinances.

J. J. Walworth & Co., Barnes, Merriam & Co., and 51 others, Hill & Wright, Brown & Lovell, and 45 others, for the purchase by the city of the East Boston ferry property. Severally referred to the Joint Committee on Ferries.

NOTICES OF INTENTION TO BUILD.

M. F. Wells, 37 North Margin street; Ignatius Enis, Chadwick street; E. Downing, south side of Shawmut place; N. D. Conant, east side of King street; Wm. Peard, No. 282 Fourth street; G. W. Holmes, Trenton street, between Brooks and Putnam streets; Faulkner & Clarke, Chauncy street, opposite Avon place; G. M. Gibson, Beacon street, between Fairfield and Gloucester streets; Patrick J. Clark, 72 Merrimac street; William C. Huntley, Liberty street, (Washington Village); Safford & Norton, 14 Myrtle street; W. F. Savage, 71 Cambridge street; Daly Brothers, corner of Fourth and C streets; N. J. Bradlee, corner of Summer and Washington streets; Towne, Son & Co., Eaton and North Russell streets; B. H. Flanders, Federal street; Andrew Spence, corner of Dorchester and Eighth streets; Wm. Smith, corner of Salem street and Bartlett place; W. B. Pickett, Maverick street, between Orleans and Bremen streets; Chas. F. Karcher, Eighth street, between Old Harbor and G streets; Lawrence Leonard, 20 Charter street; Alden Frink, 144 Summer street; Miller & Horton, Dorchester street, between Broadway and Fourth streets.

Severally referred to the Committee on Streets.

HEARINGS ON ORDERS OF NOTICE.

The several hearings on orders of notice, on the petitions of William J. Irving and of N. J. Bradlee, that the Board intends to widen Cambridge street; on the proposed construction of a sewer in High street, between Federal and Summer streets; for the construction of a sewer through Dale, Hawthorne and other streets; for the rebuilding of a sewer in Blossom street; and of the extension of the Concord street and Tremont street sewers, were called up. No person appearing in either case, the several reports were recommitted.

The hearing on order of notice on petition of Badger & Batchelder, for leave to erect a steam engine in the building corner of Cambridge and Charles streets, was taken up.

Remonstrances were presented from E. H. Derby and others, and of surgeons of the Massachusetts Eye and Ear Infirmary, against the erection of such an engine, on the ground of being an annoyance to the residents on Charles street, and particularly so to the patients of the Infirmary, from the dangers of fire.

Mr. Badger, one of the petitioners, stated the object of his petition, as that of simply replacing an engine which had been in operation in the building for many years. The building in itself was safe, and was to be heated by steam. In the proposed manufacture of furniture, it was believed that the building would be much safer than it had been. At present there were a large number of tenants, small manufacturers, and a planing mill, which made the building much more unsafe.

The building had recently been purchased, and it was proposed to put the boiler in a fire-proof building, where there would be no risks from fire or other danger. In answer to Mr. Derby, Mr. Badger stated that the proposed engine was of 50 horse power, while that of the former one was 35.

Augustus Lowell objected in behalf of the Eye and Ear Infirmary, where some four thousand patients are treated annually, and to whom alarms of fire would often prove disastrous. It was three years since the former engine was removed, and it was hoped for the safety of that institution that another would not be allowed to take its place.

Mr. Brown, a resident in the vicinity, stated that the cinders, smoke and dust from that establishment had proved to be very annoying. The building had been burned down once, and had been on fire three or four times. In answer to Mr. Badger, he said the burning was previous to the erection of the present buildings, and that the annoyance from Mason & Hamlin's establishment was not so great from being farther off.

E. H. Derby, in behalf the residents and of the Eye and Ear Infirmary, objected on account of the danger and annoyance, and as there had been no engine in the building for three years, it was proper that the subject should be considered anew.

Mr. Badger replied to some remarks about the annoyance of a saw mill, stating that there would be no sawing out of lumber, and no more sawing than in the general manufacture of furniture. The lumber used was already prepared for manufacturing. The building was put up for the purpose

of a manufactory, which was opposed as such at the time, had been used for that purpose, and would be valueless unless such use for it was continued. He could not see why objection should be made to an engine in this building while that in the Mason & Hamlin manufactory was continued.

Mr. Lowell further objected, remarking that it was of no consequence whether an engine formerly was there or not. The public good required that no further use of such an engine should be permitted in the building. In regard to the danger to the Infirmary, the building joined it closely, and endangered it and its inmates in case of fire.

The report was recommitted with the remonstrances.

The order of notice on petition of the American Steam Gauge Co., for leave to erect a steam engine at No. 5 Lindall street, was taken up. No person objecting, the report was recommitted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed.

Order authorizing the Committee on the Jail to make a new ceiling in the rotunda of that building, and to make such additional repairs as may be required, at an estimated expense of $4900, to be charged to the appropriation for the county of Suffolk.

Order authorizing the Committee on Bells and Clocks to place a new clock in the tower of Phillips Church, South Boston, at an expense not exceeding $625, to be charged to appropriation for bells and clocks.

Order for the widening of Bennett avenue, by taking 1390 square feet of land of persons unknown, on Bennet avenue, Prince street, and North Bennet street; 818 square feet of land belonging to the heirs of Joshua Bennet; 322 square feet of land belonging to the heirs of Mary Thayer; 315 square feet of land belonging to Moses P. Bickford; 1542 square feet of land belonging to David Flynn, making a total of 11,051½ square feet, at an expense of $11,051 50.

Order authorizing the Committee on the Jail to put up a telegraph wire between the Court House in Court square and the County Jail in North Charles street, and connect therewith the necessary apparatus for transmitting messages between the two buildings, the expense thereof not exceeding $600, to be charged to the appropriation for the county of Suffolk.

COMMON COUNCIL PAPERS.

The several petitions from the Common Council, of J. A. Tucker and others, and of the Boston Lead Company, were referred to the Committee on Streets; that of L. F. Whiting and others, to the Committee on Paving.

Aldermen Richards, James and Talbot were joined to the Committee of Conference on the differences relative to the salaries of City Physician, Superintendent and Deputy-Superintendent of Faneuil Hall Market, and Chief Engineer of Fire Department.

The election of one First Assistant Assessor was taken up, the result of the balloting being as follows:

| | |
|---|---|
| Whole number of votes | 12 |
| Necessary to a choice | 7 |
| James H. Tallon | 8 |
| Theophilus Burr | 3 |
| Chas. E. Grant | 1 |

Mr. Tallon was again declared to be elected, in non-concurrence.

The reference to Committee on Public Instruction of order to provide $700 for heating apparatus in Lawrence School, being on concurrence,

Alderman Richards said the Council evidently acted from a misapprehension of the facts of the case. If there had been any doubts in the matter, the reference should have been to the Committee on Public Buildings. Last summer, on a representation that new apparatus was needed in the Lawrence School building, an appropriation was passed of $2000, which was believed to be all that was required. It was found subsequently that the old pipes had given out and new pipes were accordingly put in.

The money was spent judiciously and for necessary purposes, and it was found that $700 more would be required to meet the expense. If there had been any doubts in the minds of the members of the Council, the information might have been obtained from the Committee on Public Buildings, whom he supposed were sufficiently posted in the matter. He hoped the Board would non-concur in the reference, and on its return to the Common Council statements would be made which would prove to be satisfactory.

A motion to non-concur was carried.

The ordinance relating to ice and snow in streets of this city was recommitted to Committee on Ordinances in concurrence.

The following orders were passed in concurrence:

Order to expend $500 on boats and scows belonging to the dredging machine.

Order to erect a schoolhouse for normal school on Newton street, at a cost of $170,000, and authorizing a loan therefor.

Order to appropriate an additional amount of $1500 for reporting proceedings of City Council.

Order for selection of certain papers for city advertising.

Order to pay bills of certain members of the City Government.

The order for ventilation of the Common Council room, was considered.

Alderman Pratt said he had no objection to the ventilation of the Common Council room, but would have liked the order better had it included the room of the Board of Aldermen.

Alderman Talbot inquired if the report came from the Joint Committee on Public Buildings?

Alderman Richards replied that it was considered in joint committee. It was believed to be best to try the experiment in the Council chamber and of ventilating the staircase hall and corridors by raising the skylight. If successful, the experiment would be tried in the room of the Board of Aldermen, which would be benefited simply by the ventilation above it.

The order was passed in concurrence.

REPORTS OF COMMITTEES.

Alderman Van Nostrand, from the Committee to Nominate candidates for Second Assistant Assessors, made a report, which was accepted and sent down, and Monday next was assigned for an election.

The nominations were as follows:

*Ward 1—Daniel J. Sweeny, John Noble. *Ward 2—James Healy, John F. Flynn. Ward 3—Briggs Mann. *Ward 4—F. S. Carruth, C. W. Forbush. *Ward 5—John M. Maguire, John A. Daly. Ward 6—Oliver P. Bowman. Ward 7—Charles S. Blood. Ward 8—B. T. Remick. Ward 9—Horace Jenkins. Ward 10—Frederick G. Pope. Ward 11—Geo. W. Skinner. Ward 12—Thomas Hill. Ward 13—Geo. F. Davis. Ward 14—Wm. H. McIntosh. Ward 15—S. Parkman Blake. [Wards marked thus * are entitled to two Second Assistants.]

Alderman White, from the Committee on Licenses, reported a large number of licenses to innholders and victuallers; also licenses to three newsboys, several wagon licenses, the transfer of a wagon license, and the transfer of stalls 65 and 67 Faneuil Hall Market and of cellar No. 11. Severally accepted.

Alderman White also reported leave to withdraw on petition of James Benson, Jr., No. 112 Cambridge street, John Murphy, Nos. 70 and 72 Dedham street, and A. W. Worcester, No. 5 Green street. Severally accepted.

Alderman Talbot, from the Committee on Street, reported no action necessary on sundry notices of intention to build. Accepted.

Also leave to withdraw on petition of M. D. Ross and others, for a change in the direction of Atlantic avenue, and of Hayward P. Cushing and others, in aid of the same. Severally accepted.

Alderman White, from the Committee on Health, reported favorably on petitions of Leander H. Jones and of Orsamus Nute, for leave to sprinkle streets. Accepted.

Alderman Talbot, from the Committee on Claims, to whom was referred the petition of Mary Stratton, to be compensated for personal injuries received by falling on the sidewalk in Tremont street; also, on petition of Maria O'Malley, to be compensated for personal injuries by a fall on Harrison avenue; of Jeremiah McCarthy, to be compensated for injuries received by his son, on account of an alleged defect in Thacher street, reported that they severally have leave to withdraw. Accepted.

Alderman Richards, from the Committee on Public Buildings, reported in favor of the erection of a stable for Hook and Ladder House, and from a special committee, for the purchase of fire annihilators, to be placed in engine, hose and station houses. The orders were read once.

TRUSTEE OF CITY HOSPITAL.

Alderman Bradlee submitted a communication from the Trustees of the City Hospital, informing the Board of a vacancy in the Board of Trustees, occasioned by the death of Jonas Ball, elected for three years.

The Board proceeded to an election, when David H. Coolidge was unanimously chosen to fill the vacancy.

BRANCH RAILROAD.

Alderman James submitted the following orders, which were passed:

Ordered, That the act passed by the General Court of Massachusetts of 1869, entitled an act to authorize Nathaniel M. Jewett and others to build a branch railroad track in East Boston, be and the same is hereby accepted.

Ordered, That the following rules be prescribed for the construction of the said railroad track in East Boston.

1. The rail to be used in the construction of the tracks shall be made of rolled iron, and shall weigh not less than ninety pounds to the lineal yard, and be similar to the pattern deposited in the office of the Superintendent of Streets for the construction of the tracks of the Marginal Freight Railway Company.

2. The space between the rails and three feet on each side thereof shall be paved with granite or trap-rock blocks, of such size and quality as the Superintendent of Streets shall direct.

3. The whole work of constructing said tracks shall be done to the satisfaction of the Committee on Paving and the Superintendent of Streets, and shall be approved by them.

ORDERS OF NOTICE.

Orders of notice were adopted as follows:

On the petition of Wm. Pray, for a stable for more than four horses in Woodward street, hearing Monday, April 5, 4 P. M.

On the proposed laying out of Knox street, between Eagle and Condor streets, hearing Monday, April 12, 4 P. M.

On the notice of John C. Crowley of intention to build on Bedford street, that the Board intends to widen said street, hearing Monday, April 12, 4 P. M.

On the extension of Revere street, west of Charles street, hearing Monday, April 12, 4 P. M.

On the proposed widening of Broad street, at the beginning of Atlantic avenue, hearing Monday, April 12, 4 P. M.

ORDERS PASSED.

On motion of Alderman Fairbanks:

Ordered, That the sum of $18 34 be and the same as hereby abated from the assessment levied upon Levi Wilkins for a sewer in Kendall street.

On motion of Alderman Richards:

Ordered, That the Chief Engineer of the Fire Department be and he is hereby authorized to have Engine No. 12 repaired at an expense not exceeding $1000, the same to be charged to the appropriation for the Fire Department.

Ordered, That the Committee on Ordinances be requested to prepare and report for the consideration of the City Council an ordinance to establish the office of Assistant City Clerk, under the authority of chapter 72 of the acts of 1869.

On motion of Alderman James:

Ordered, That the use of the lot of land belonging to the city, on Dartmouth street and St. James avenue, be granted to the Directors of the proposed Musical Festival, for the purpose of erecting a suitable building thereon in which to hold said festival.

On motion of Alderman Talbot, the order to change name of Avon place to Avon street, with an amendment to extend the name of Avon street through Temple place to Tremont street; also, remonstrance of Sweetser & Abbott and others against the same, were taken from the table.

Alderman Talbot moved that the amendment be adopted.

Alderman Richards inquired if it would not be proper first to read the remonstrance?

The Mayor stated that it had once been read.

Alderman Talbot, in support of the amendment, said it would not be desirable to have two names for the continuous street; that it could not be called Temple street, a street which already existed; that the name Avon street would be a pretty name; and that, although there might be some inconveniences for a time, the occupants of Temple place would soon become accustomed to the new name. He was willing, however, to have the matter recommitted and hear the parties.

Alderman Richards said he did not require that the parties should have a hearing. The matter was considered in the committee, who thought that the occupants of Temple place would soon wish to have the name changed to Avon street, when people became familiar with the new street. It would be superfluous to take any action to recommit, when the matter was virtually settled. There would be inconveniences of new numbers for awhile, but that would soon be got over.

The amendment was adopted and the order, as amended, was passed.

On motion of Alderman Hawes, the election of City Engineer was taken up.

N. Henry Crafts was unanimously reëlected.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## APRIL 1, 1869.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, William G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The several petitions relating to the purchase of the East Boston Ferry property, and those asking for a change in the ordinance respecting projecting signs, were referred in concurrence.

Messrs. Wadsworth of Ward Four, Noyes of Ward Five, and Woods of Ward Twelve, were joined to the Committee on the petition of the Boston Labor Reform Institute, that the eight-hour system be adopted in all departments of city work.

The following reports were severally accepted, in concurrence:

Report leave to withdraw on the petition of Maria O'Malley, to be compensated for injuries from a fall in Harrison avenue.

Report leave to withdraw on the petition of Mary Stratton, to be compensated for injuries received by falling on Tremont street.

Report leave to withdraw on petition of Jeremiah McCarthy, to be compensated for injuries received by his son from a fall on Thacher street.

The following orders were passed in concurrence:

Order granting to the Directors of the proposed Musical Festival the city lot on Dartmouth street and St. James Avenue, for the purpose of erecting thereon a suitable building in which to hold said Festival.

Order for Committee on Ordinances to report an ordinance for appointment of Assistant City Clerk.

The resolve and order to lay out and widen Bennet avenue, at a cost of $11,051 50, was taken up.

A motion was made by Mr. Gray of Ward Twelve to refer the order to the Committee on Streets.

Mr. Wadsworth of Ward Four moved to amend by instructing the Committee to give the remonstrants a hearing.

Mr. Hall of Ward One wished to know if the motion included the parties on both sides.

Mr. Wadsworth replied that it was designed to include any one who wished to be heard.

Mr. Keith of Ward Fifteen suggested that it should apply to all parties in interest.

The suggestion was accepted as an amendment, and as amended the reference was made, and the Committee were so instructed.

ELECTION OF AN ASSISTANT ASSESSOR.

The election of one First Assistant Assessor was taken up.

Mr. Keith of Ward Fifteen said this disagreement between the two branches had been going on for some time, and it was desirable it should be closed. It must be quite apparent that Mr. Burr could not be elected by the Board, and that Mr. Tallon could not be elected by this branch. He hoped, therefore, that both the candidates would be dropped, and that Charles E. Grant would be taken up, to allow the election of another member from the Highlands. Mr. Grant served very acceptably as an Assessor last year.

Mr. Batchelder of Ward Four read a communication from Theophilus Burr, requesting that his name be withdrawn as a candidate.

Messrs. Snow of Ward Eleven, Nelson of Ward Nine, and Daniels of Ward Four, were appointed a committee to receive, sort and count the votes.

The Committee reported as follows:

| | |
|---|---|
| Whole number of votes | 47 |
| Necessary to a choice | 24 |
| Charles E. Grant | 29 |
| James H. Tallon | 16 |
| Wm. H. McIntosh | 2 |

Mr. Grant was declared to be elected in non-concurrence.

ELECTION OF CITY ENGINEER.

The election of City Engineer was taken up, when Messrs. Batchelder of Ward Four, Rogers of Ward Fifteen, and Tucker of Ward Six, were appointed a committee to receive, sort and count votes. The committee reported the whole number to be 44, of which there were 42 for N. Henry Crafts and 2 for George P. Darrow.

Mr. Crafts was declared to be elected in concurrence.

ELECTION OF TRUSTEE OF CITY HOSPITAL.

A communication from the President of Trustees of the City Hospital, announcing a vacancy in their Board, caused by the decease of Jonas Ball, Esq., was read, with the action of the Board of Aldermen in filling the vacancy.

Mr. Keith of Ward Fifteen inquired if the subject of filling the vacancy had been referred to a Committee of the City Council.

The Chair stated that it had not.

Mr. Keith moved its reference to the Committee on the Hospital.

The vote was declared to be in the negative, and a doubt was expressed.

Mr. Keith commenced to speak, when Mr. Osborn of Ward Six raised a question of order, that debate was out of order, pending the solving of a doubt.

The Chair decided that the point of order was well taken. Mr. Keith asked leave to speak. The Chair stated that if no objection was made, the gentleman could proceed.

No objection being interposed, Mr. Keith said that this was the first instance within his knowledge in which the practice was departed from in referring the question of vacancies in office to a committee. The gentleman elected by the other branch may be a most fitting candidate. If so, the committee would report in his favor, and it would be perfectly proper to elect him. The action in proceeding to an election without such a reference was taking it out of the hands of the committee.

Mr. Richards of Ward Eight stated that Mr. Coolidge was a member of the Board of Trustees two years ago, his term being for one year. On its being proposed a year ago to nominate him for reelection, it was suggested that there ought to be some one on the Board from the Highlands. Mr. Coolidge waived his claims, and having once given way, it was highly proper that he should now be reëlected. The motion to refer was lost by a vote of 10 to 20.

Messrs. Jenks of Ward Three, Conant of Ward Fifteen, and Talbot of Ward Four, were appointed a committee to receive, sort and count the votes. The committee reported as follows:

| | |
|---|---|
| Whole number of votes | 46 |
| Necessary to a choice | 24 |
| David H. Coolidge | 43 |
| S. D. Crane 2, D. Leavitt 1 | 3 |

Mr. Coolidge was declared to be elected in concurrence.

The report nominating Second Assistant Assessors was accepted, in concurrence.

Mr. Wells of Ward Three moved that Thursday evening, April 15, 8½ o'clock, be assigned for the election of Second Assistant Assessors.

Mr. Rich of Ward Fourteen inquired if the statute did not require that the election should be within sixty days from the first Monday in February.

The Chair stated that the City Council having entered upon the election by appointing a committee to make nominations, and that committee having made a report, the requirement was met.

Mr. Rich stated that the language of the statute was "shall be elected."

The motion to assign was carried.

The question of non-concurrence of the Board of Aldermen, in reference to Committee on Public Instruction, of order authorizing the additional sum of $700 to be expended for heating apparatus for the Lawrence Schoolhouse, coming up.

Mr. Keith of Ward Fifteen explained the request for an additional appropriation, and made a statement of the facts connected with the subject. When the apparatus was put in last year it was found necessary to put in new radiating pipes, not previously contemplated, and this was done at an expense designated in this order. The school had to be suspended for the purpose. The money had already been expended for the purpose he had de-

scribed. It was unnecessary to refer the matter to the Committee on Public Instruction, and he hoped the Council would recede from its former action, and that the order would be passed.

A motion to recede was carried, and the order was passed.

UNFINISHED BUSINESS.

The following orders were each read a second time and passed:

Order to refund to Isaac Samuels the amount (with interest thereon) paid by him in 1861 for defective tax-titles on estates in Springer place and Eighth street.

Orders to set apart two lots of land, one between Berlin street and Madison place, and the other on Church street, between Fayette and Knox streets, for primary-school purposes; and to procure plans and estimates for primary-school buildings to be erected on said lots.

REPORTS OF COMMITTEES.

Mr. Tucker of Ward Six, from the Committee on the Fire Department of the Common Council, to whom was referred the order requesting the Cochituate Water Board to introduce the Lowry hydrants in the Church Street District, made a report that in their opinion the Lowry hydrants should be connected with the mains at the intersection of streets in the Church Street District, as an adequate supply of water cannot be obtained in case of fire from the hydrants which are set in the sidewalks, and known as the "Boston hydrant."

In narrow streets it may be impracticable to use the Lowry hydrants during a portion of the year, and in order to give the Water Board an opportunity to exercise their judgment as to the localities where they may be properly introduced, the Committee would recommend that the accompanying order be substituted for the order referred to them.

Ordered, That the Cochituate Water Board be requested to attach the Lowry hydrants to the pipes which are being laid down in the Church street district at such points at the intersection of streets as they may deem practicable and expedient.

The report was accepted, and the order was passed.

SALARY BILL.

Mr. Gray of Ward Twelve from the Committee of the Common Council appointed to confer with such a committee as the Board of Aldermen might appoint, on the matters of difference between the two branches relative to the salary bill, made a report that they have conferred with a committee of the Board of Aldermen and have agreed to make the following recommendations, viz:

That the salary of the City Physician should be fixed at one thousand five hundred dollars per annum.

That the salary of the Superintendent of Faneuil Hall Market should be fixed at two thousand two hundred dollars per annum.

That the salary of the Deputy Superintendent of Faneuil Hall Market should be fixed at one thousand three hundred dollars per annum.

That the salary of the Chief Engineer of the Fire Department should be fixed at three thousand dollars per annum.

The report was accepted.

The question was taken separately on the propositions, which were severally adopted after voting to recede on the amendments to the two first named.

Mr. Snow of Ward Eleven inquired the position of the question relative to the salary of the Deputy Superintendant of the Market.

Mr. Gray stated that the original report fixed the salary at $1200, which was increased to $1500 by the Council, and now the committee agreed upon $1300.

The question on the salary of the Chief Engineer of the Fire Department was put, upon adhering, which was carried.

In reply to a question of Mr. Snow, the Chair replied that in voting to recede on the two first named, the Council concurred with the Board of Aldermen.

Mr. Woolley of Ward One, from the Joint Standing Committee on Public Institutions, to whom was referred the petition of the Managers of the Discharged Soldiers' Home, for an appropriation to repair the almshouse in the Highland District, made a report recommending that the petition be referred to the Committee on Public Buildings.

The report was accepted.

ORDERS PASSED.

On motion of Mr. Batchelder of Ward Four, it was

Ordered, That the bill of Sidney Squires & Co., amounting to $1331, for materials furnished, having been approved and allowed, be paid.

Mr. Wells of Ward Three presented a request signed by several members of the Common Council, that the City Messenger supply the new members of the Council with badges.

The request was modified to a motion that the City Messenger be directed to procure badges for those members of the Council who have not received them.

Mr. Rich of Ward Fourteen did not think the passage of such an order to be necessary, provision having already been made for that purpose.

Mr. Wadsworth of Ward Four said the City Messenger had already been authorized to procure badges for new members and moved to lay the motion on the table. Lost, 13 to 18.

The Chair suggested that the motion be made in writing, in the form of an order, but would put the question.

The motion was stated to be, that members not supplied with badges, be supplied by the City Messenger.

Mr. Batchelder of Ward Four inquired if new members had not been supplied.

Mr. Wells replied that when the term of office expired, they were no longer members, and that all members must be new members.

Mr. Snow of Ward Eleven said he owed an apology to the Council for having once said that all members were new members. He hoped this motion would be voted down, so that badges shall be furnished only to those who were not members last year, and have not received them. It was not the intention to furnish badges to those who are already supplied.

Mr. Hopkins moved an indefinite postponement of the motion. Carried by a vote of 21 to 6.

Mr. Keith of Ward Fifteen offered the following order:

Ordered, That the Committee on Public Buildings be authorized to contract with Wm. H. Emerson for painting the Girls' High and Normal Schoolhouse, he being the lowest bidder therefor.

Mr. Wadsworth of Ward Four wished to know if the order referred to the present schoolhouse in Mason street, or to the new one to be built.

The order was again read, as an answer to the inquiry, and was passed.

Mr. Batchelder of Ward Four moved that when the Council adjourn, it be to Thursday evening, April 15. Carried.

Mr. Wadsworth asked to be excused from serving on the committee relative to eight hours' labor for city employés. Refused.

PETITION.

A petition was presented from Perkins & Jacques, to be released from conditions on certain lands. Referred to Committee on Public Lands.

Adjourned to Thursday, April 15.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## APRIL 5, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at four o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

*Coal Weighers and Measurers of Wood and Bark.* Robert Hale, J. B. Quimby, Charles Darrow, H. F. Lawrence, Caleb W. Hartshorn, Stanley C. Burnham, Geo. M. Cook, Wm. Jordan, Randall G. Morse.

*Weighers of Coal Only.* Geo. M. Winslow, Ignatius A. Kelly, Charles H. Pratt, J. C. Crafts, Geo. V. Emery, Samuel Hosea, Jr., Algernon A. Curtis, Wm. B. Tarleton, Edwin Y. Brown.

*Special Police Officers Without Pay.* Channing W. Littlefield, for duty at Boston Velocipede Rink, on Tremont street; George Atwood, for duty at Parker Building, Washington street; Ethan R. Cheney, for duty at South Baptist Church; George M. B. Rowe, for duty at Boston Lunatic Hospital.

*Members of the Fire Department.* John M. Colby, as a member of Hose Company, No. 6; John H. Weston, Foreman of Hose Company No. 6; Thos. E. Golding, member of Hose Company No. 1.

*Secretary of Board of Engineers.* Henry W. Longley, nominated by the Board of Engineers of the Fire Department, as their Secretary, was unanimously elected by the Board of Aldermen.

PETITIONS PRESENTED AND REFERRED.

Peter Wainwright and others, that the name of Messinger street be changed to Brimmer street.

J. E. & N. Brown and others, that the name of Highland place be changed to Parker Hill avenue.

F. F. Raymond and others, that Cross street be repaved from Hanover to North streets.

Severally referred to the Committee on Paving.

Frost & Co., for leave to erect a stable for more than four horses on Stanhope street.

Daniel Heffernin, for leave to build a stable for more than four horses at 153 Albany street.

Severally referred to the Committee on Health.

William C. Lord, for leave to exhibit velocipedes on the Common.

Referred to Committee on the Common.

John Homans, for a sewer in M street, between Fifth and Sixth streets.

Elisha Noyes and others, that a sewer be built through Ward street.

John S. Blair and others, for a sewer in Harrison avenue, south of Dover street.

Foster & Leighton, for a sewer in Monmouth street.

Severally referred to the Committee on Sewers.

F. W. Lincoln, Jr., and others, in aid of the petition of Co. A, 1st Cavalry, for better armory accommodations. Referred to Committee on Armories.

George B. Upton and others, in aid of the petition of Charles Burrill, for settlement of claims against the city. Laid on the table.

Dennis Collins, surrendering his Fort Hill estates to the city. Referred to the Committee on Streets.

Johanna Donovan, for an apple-stand on Washington street, near the Old South Church. Referred to the Committee on Licenses.

Metropolitan Railroad Company, for a temporary location on Berkeley street. Referred to the Committee on Paving, and an order of notice issued thereon.

CONSULTING PHYSICIANS.

A communication was received from Drs. John Jeffries, Henry G. Clark, Winslow Lewis, D. Humphrey Storer and Charles E. Buckingham, resigning their offices as consulting physicians. The resignations were accepted, and the communication was referred to the Committee on Nominations of Consulting Physicians.

NOTICES OF INTENTION TO BUILD.

J. S. Bulger, corner of Sullivan and Lark streets; Mrs. Wiltshire, 655 Washington street; Frank Jones, Vinton street; T. J. Whidden, Bromfield street; Wm Goldsmith, 39 Prentiss street; Small & Post, Brookline street between Shawmut avenue and Tremont street; also at 1035 Washington street; S. Stillings, Appleton street, between Berkeley and Clarendon streets; D. S. Johnson, Warren avenue; John L. Roberts, 223 and 225 Cambridge street; Robert Moore, rear 62 Endicott street; M. S. & G. N. Miller, corner of Chandler and Clarendon streets; Jos. W. Tucker, Lambert street; Slade Luther, 10 Poplar street; Thomas Keyes, B street, between Broadway and Atkins street; William Saunders, Seventh street, between F and Dorchester streets; Andrew Abbott, 146 Friend street; N. J. Bradlee, 64 and 66 State street; Faulkner & Clark, Phœnix building, Devonshire street; J. E. & N. Brown, 41 to 51 High street; 31 to 36 Purchase street, and 57 Devonshire street.

QUARTERLY REPORTS.

Quarterly reports were made as follows:

*Superintendent of Streets.* Expended and charged to the appropriation for paving during the quarter, for grading and repairs of streets and for removing and levelling snow and ice on the streets in the city proper, South and East Boston and Roxbury, the sum of $45,691 65. There were bills lodged with the City Treasurer, during the same quarter, for edgestones, sidewalks, &c., amounting to $4390 47. The amount paid into the City Treasury during the same period, and credited to the paving department, was $3619 94.

*Superintendent of Health.* There has been expended by the department for the quarter ending March 31, 1869, as follows:

The removal of snow and ice, scraping and cleaning the streets, the removal of ashes and offal, abating nuisances, &c., $70,025 30.

Demands against sundry persons, the bills for which have been deposited with the City Treasurer for collection, $14,366 94. Amount paid into the City Treasury, and credited this department for the quarter, $21,686 47.

Number of prisoners conveyed from the several station houses to city lock-up under the Court House, as follows: Males, 1678; females, 609; total, 2287.

*Superintendent of Public Lands.* The sales of land under the direction of the Committee on Public Lands for the quarter were as follows:

One lot on Wareham street, containing 15,586½ square feet, at 87½ cents per foot, $13,638 19; one lot on Fourth street, 6250 feet, at 60 cents, $3750; one lot on Hampshire street, 4000 feet, 50 cents, $2000; one lot on Prescott place, 5347 feet, 75 cents, $4010 32; strip of land on Northfield street, 52 feet, $200. Total 31,235 61-100 feet, $23,698 51.

Of the foregoing amount there has been received in cash and paid over to the Treasurer $2647 51, and there has been taken in bonds from the purchasers, payable in nine annual instalments with interest, $21,051.

The Superintendent has also received and paid over to the Treasurer for rent of land on South Bay, Dover street and Harrison avenue, $267 08.

The expenditures have been as follows:

Amount paid for filling in land between Albany street and Harrison avenue, $3233 50; salary of Superintendent, $450; expense for Committee of 1868, $108; Committee of 1869, $105 25; stationery, $16 50; printing, $3 15; total, $3916 40.

*Report of Paymaster for Soldiers' Relief.* The quarterly report of Reuben Peterson, Jr., paymaster of Soldiers' Relief Committee, gave the following result:

| | |
|---|---|
| Balance on hand Jan. 1 | $414 |
| Received from City Treasurer at various times during three months | 25,500 |
| | $25,914 |
| Disbursed to disabled soldiers and sailors and their families | 25,750 |
| Leaving a balance on hand April 1 | $164 00 |

The number of applicants in January was 1150; February, 1278; March, 1385. The disbursements were, in January, $8867; February, $8190; March, $8693. The total amount for the several Wards was as follows:

Ward 1, $1944; Ward 2, $2588; Ward 3, $1605; Ward 4, $1027; Ward 5, $2512; Ward 6, $768; Ward

7, $3655; Ward 8, $1606; Ward 9, $830; Ward 10, $1323; Ward 11, $1158; Ward 12, $1278; Wards 13, 14 and 15, $3494; out of State regiments, $802; U. S. Navy, $1130. Total, $25,750.

*Inspector of Lighters.* For the quarter ending March 31, 1869, the fees received amounted to $514 75. The expenses of office for rent for the same time are $38 18; leaving the net income to be divided, $476 57. The net income has been divided by the incumbents.

*Sealer of Weights and Measures.* Northern District—Receipts for the quarter, $305 11.

Southern District—Receipts for the quarter, $358 62.

These reports were severally accepted and ordered to be placed on file.

ANNUAL REPORT OF THE INSPECTOR OF MILK.

The tenth annual report of Henry Faxon, Inspector of Milk, was presented. The inspector states that the milk trade of Boston is divided into two branches, for which separate sets of books are kept at the office of the Inspector. Wholesale dealers, are those who distribute to families, stores, &c., from carriages, and those persons who keep more than one cow, in the city proper, Boston Highlands, South and East Boston. Retail dealers are those who sell in small quantities from market places, stores, shops and cellars. The dealers in the Highland District have been registered and are included in this report.

The number of cows kept within the limits of the city is 713—city proper, 31; Highlands, 435; South Boston, 105; East Boston, 139. Number who keep one cow, 177. Wholesale dealers recorded since last report, 123; whole number registered, 981; now in business, 368; number selling from carriages, 225; small wholesale dealers who keep more than one cow and sell to the neighborhood, 143; retailers recorded since last report, 251; whole number recorded, 2655; samples of milk inspected since last report, 1630; number not adulterated; 1153; more or less adulterated, 477; cases analyzed by chemist, 10; average amount of adulteration, 40 6-10; largest amount of adulteration in 100 parts, 53.49; least, 15.14; cases pending in the courts, at date of last report, 2, one of which was acquitted, and the other absconded.

The number of complaints made to the Grand Jury have been 7, on which 4 bills of indictment were found; 2 have been convicted in the Superior Court, and 2 are now pending; 1 convicted in the Municipal Court.

The number of gallons of milk for the daily supply of this city is 19,686; daily cost to consumers, $6299 52; gallons for year's supply, 7,185,390, which cost to consumers $2,299,324 80.

For violations of the law there have been paid in fines and costs $48 15. The expenses of the office, for analysis, records, stationery, &c., have been $216 53.

The Inspector states that his whole time and attention have been given to the duties of his office. After quoting from his report of last year, he refers to the supply during the several months last season, purchased at about the rates of the previous year. In April the supply was abundant; assuming the standard of pure extra milk to be 20 and good milk at 19, the standard of the latter for the Highlands was 18½. In May, the supply was more than equal to the demand, and the standard about the same. The supply continued to be large until towards the close of July, when an inspection of a large number of cans showed the milk to have been skimmed or largely extended. The standard had now fallen in the city to 17 and below. By the middle of August, the supply was larger, and the last of the month more limited, and the price advanced.

The average standard of milk in September was 17¼. In October the winter contracts commenced, at 40 to 50 cents a can at the farmer's door: at the cars in the city, 50 to 60 cents; delivered to stores and shops, 60 to 72 cents; and retailed at 9 cents per quart. The average standard of the month was 18¼, and in November, 18, with an abundant supply. The supply was less in December, much of it greatly injured by frequent freezing and thawing, and from being several days old. The average standard was 17¾. In January the standard was 18; in February, 18¼; in March, 18¼.

The Inspector refers to the act of the Legislature of last year, and its inefficiency, from the difficulty of showing that the dealers sold adulterated milk, knowing the same to be adulterated, and from artifices resorted to by families and dealers to screen their milkmen from punishment. In many cases it is proved that milk is adulterated after it leaves the hands of the milkmen, for the purpose of making it hold out.

In reply to the question, what constitutes a good milk route in Boston? it is answered, milk from the best dairies, the number of cans daily delivered, the class of customers, the number of cans left at any one place, and the purity of the milk when delivered.

We have now in this city two hundred and twenty-five milk routes, divided into three classes. The first are considered by their owners to be worth from $6000 to $10,000, with horses, carriages, three hundred milk cans, an interest in milk pits, ice houses, &c. These routes distribute from seventy to one hundred cans of milk daily, to our first-class public houses, dining saloons, large groceries, and some of them to a few private families. These places seldom require the services of the Inspector. They are able and willing to pay the highest market price for good milk, which they generally receive. Routes of this class do not often change hands, and many of them have been conducted by the same men for the past ten or twelve years.

The second class are sold at from $3000 to $6000, varying in price according to the number of cans distributed and the class of customers. These extend their milk as circumstances may seem to require. To this class belong many of the milkmen from the neighboring towns, who bring in daily from twenty-five to forty-five cans each. Many of them bring in good milk and supply some of the most particular families, while others extend their milk from 25 to 33 per cent. Some of these routes often change hands.

The third class routes are sold frequently at from $1000 to $3000, using from twenty-five to forty cans of milk daily, which is distributed to small shops and poor families, many of whom care but little as to the quality of the milk, provided they can obtain a low priced article. These dealers generally undersell other milkmen and entice away their customers, and the standard of their milk is found to be a fair index to their general character. During this year twelve or more new routes have been commenced of this class.

The Inspector, referring to the milk of cows kept in the city and fed on brewers' grains, remarks that in all our large cities it is safer and better to feed infants on desiccated milk, diluted to its original consistency, than to feed them on the impure or extended article sold as milk. This milk, like sugar, dissolves better in warm than in cold water. One pound will make three quarts of good milk. For tea, coffee or chocolate it can be put on the table and used as sugar, but should be allowed to dissolve in the cup a moment before being stirred, as the cream globules will then remain unbroken. For young children, a tablespoonful dissolved in a teacupful of water is sufficient; for older children and invalids the proportion must be regulated by circumstances and the taste and judgment.

This article, the Inspector says, he recommends only as as a substitute where pure, fresh milk cannot be obtained, and even this may be adulterated. In conclusion, the Inspector expresses his acknowledgments to Dr. James C. White, chemist, for his ready and valuable services; also to all others who have interested themselves in the objects of his department.

The report was laid on the table and ordered to be printed.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the order of notice on petition of William Pray, for leave to erect a stable on Woodward street for more than four horses, was taken up. No person appearing, the report was recommitted.

The hearing on the order of notice on the proposed extension of Vernon street to Tremont street was taken up. No person appearing, the report was recommitted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That Congress street be widened at the corner of Milk street, by taking a parcel of land belonging to Levi L. Tower, containing 320 square feet, more or less, at an expense of $7350.

Ordered, That the Committee on Public Buildings be authorized to build a stable in the rear of

Hook and Ladder House No. 1, and to make such alteration and repairs on the present building as may be deemed necessary, at an estimated cost of $6500, to be charged to the appropriation for Public Buildings.

Ordered, That the Chief Engineer of the Fire Department be authorized to purchase, under the direction of the Committee on the Fire Department, one of the American Consolidated Company's Fire Annihilators for each of the police stations, and the Engine, Hose and Hook and Ladder houses in the city, the expense, not exceeding $2000, to be charged to the Appropriation for the Fire Department.

Ordered, That the Committee on County Accounts be and they are hereby authorized to employ some suitable person to prepare the classified indices to the Suffolk deeds for 1869, the expense to be charged to the appropriation for the County of Suffolk.

COMMON COUNCIL PAPERS.

Petitions from the Common Council were referred in concurrence.

ELECTION OF AN ASSISTANT ASSESSOR.

The election of one First Assistant Assessor was taken up.

Alderman Baldwin stated that he was authorized to withdraw the name of James H. Tallon in favor of Chas. E. Grant.

A ballot was taken, when it appeared that all of the votes were cast for Chas. E. Grant.

Mr. Grant was declared to be elected, in concurrence.

The following orders were passed in concurrence:

Order for location of Lowry Hydrants on Church Street District—amended by limiting the location to the intersections of the streets.

Order to pay bill of S. Squires, amounting to $1334.

Order authorizing contract with W. H. Emerson, to paint Girls' Normal Schoolhouse.

The report of Committee on Public Institutions, referring subject of using Roxbury Almshouse for a Soldiers' Home to Committee on Public Buildings, was concurred in.

The action of the Common Council in relation to the salaries of City Physician, Superintendent of Faneuil Hall Market, Deputy Superintendent of the Market, and Chief Engineer of the Fire Department, was taken up.

Alderman Richards, from the Committee of Conference, made a report on the subject of the disagreements between the two branches, when the report of the Committee of Conference was accepted, in concurrence.

ELECTION OF SECOND ASSISTANT ASSESSORS.

The special assignment, the Election of Second Assistant Assessors, was taken up. The balloting resulted as follows:

Whole number of ballots 12; necessary for a choice 7.

*Ward 1—Daniel J. Sweeney, John Noble, 11 each.

*Ward 2—James Healey, John F. Flynn, 11 each.

Ward 3—Briggs Mann, 6; E. C. Donnelly, 4; Jos. Allen, 2.

*Ward 4—F. S. Carruth, 8, E. Stone Goodwin, 10; C. W. Forbush, 2; Benjamin T. Gould, 2.

*Ward 5—John M. Maguire, 9; John A. Daley, 11; Pierce A. Doherty, 4.

Ward 6—Oliver P. Bowman, 11.

Ward 7—John A. Johnston, 7; Chas. S. Blood, 5.

Ward 8—Cadis B. Boyce, 7; B. J. Remick, 5.

Ward 9—Horace Jenkins, 6; James Standish, 2; Henry A. Davis, 3.

Ward 10—Frederick G. Pope, 11; E. A. Hunting, 1.

Ward 11—George W. Skinner, 11.

Ward 12—Thomas Hill, 8; William Gallagher, 3.

Ward 13—George F. Davis, 5; Alexander Stuart, 5; J. J. Fox, 2.

Ward 14—Wm. H. McIntosh, 11.

Ward 15—S. Parkman Blake, 11.

In Wards 3, 9 and 13 there appeared to be no choice.

Ward 3—Second ballot, Briggs Mann elected, by a votes of 8 to 3 for E. C. Donnelly, and 1 for Jos. Allen.

Ward 9—Second ballot, Horace Jenkins, 4; Jas. Standish, 6; H. A. Davis, 2. Third ballot, Jenkins, 5; Standish, 6; Davis, 1. Fourth ballot—whole number, 11; necessary for a choice, 6; Jenkins, 6; Standish, 5.

Ward 13—Second ballot, Geo. F. Davis, 7; Alexander Stuart, 4; J. J. Fox, 1.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported ninety-three licenses for victuallers, sixteen for innholders, several for billiards and bowling saloons, four for newsboys, three for boot blacks and one for selling lamp mats. Severally accepted.

Alderman White also reported several wagon licenses, and for the transfer of wagon licenses. Accepted.

The same committee reported in favor of a license to S. G. Derry, for a velocipede school at the Skating Rink, and leave to withdraw on the petitions of Eliza Freeman, Thos. A. Bannon and John P. Lalley, for licenses as victuallers. Severally accepted.

Alderman James, from the Committee on Paving, reported leave to withdraw on the petition of E. S. Johnson, for the grading of Lenox street, east of Washington street, that street not being a public street; also leave to withdraw on petition of Philip N. Colby and others, for a change of the name of Taylor street to Dwight place. Severally accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Fairbanks, from the Committee on Sewers, reported leave to withdraw on petition of Joel E. Gilman, for abatement of an assessment for a sewer in London street. Accepted.

ORDERS OF NOTICE.

On petiton of C. F. Karcher for leave to erect a stable on Eighth street, near Old Harbor. Hearing Monday, April 12th, 4 P. M.

On proposed construction of a sewer on F street, between Seventh and Eighth streets. Hearing Monday, April 12th, 4 P. M.

On the proposed laying out of Rockville place. Hearing Monday, April 19th, 4 P. M.

On the laying out, widening, extending, and grading of Mount Warren avenue. Hearing Monday, April 19th, 4 P. M.

On the petition of the Metropolitan Railroad Company for a temporary track on Berkeley street. Hearing Monday, April 19th, 4 P. M.

On the petition of Smith & Lovett for leave to put a steam engine in No. 127 Albany street. Hearing Monday, April 26th, 4 P. M.

AVON STREET BETTERMENTS.

Alderman Talbot, from the Committee on Streets, reported an order which was passed, assessing betterments upon the estates of heirs of Wm. Marshall, Dexter N. Richards, Edward E. Tower, N. J. Bradlee and another, trustees, Charlotte Morgan, Richard Fletcher, Chas. C. Foster, heirs of Mary Sigourney, Mortimer C. Ferris, Second Church, Massachusetts Charitable Mechanic Association, Elizabeth A. Cushing, George Gardner, E. W. Gurney, heirs of Joseph H. Thayer, H. W. Suter and N. J. Bradlee trustees, heirs of Benj. Dearborn, heirs of Enoch Hale, Wm. T. Andrews, Abigail Armstrong and Francis L. Higginson. The whole amount of land upon which betterments were assessed was 35,080 feet, amount of betterments adjudged, $122,765 50—one half of which $61,382 75 is assessed upon the estates of the above named owners.

ORDERS PASSED.

Alderman James, from the Committee on Paving, on the petition of J. J. Munroe and others, and James Sturgis and others, that Walnut avenue be widened at the Haskins estate, reported the following order, which was read twice and passed.

Ordered, That the Superintendent of Streets be directed to remove the rocks, &c. projecting from the Haskins estate into Walnut avenue, and to grade said avenue to the established line, at an estimated cost of $1300.

On motion of Alderman Talbot,

Ordered, That the order passed December 31, 1868, apportioning the betterment of $687, assessed upon the estate of Jonathan Jones, No. 15 Bowker street, into three equal parts, be and the same hereby is rescinded, the said Jones having since elected to pay the said betterment in full.

* Entitled to two Second Assistants.

On motion of Alderman James,

Ordered, That the City Treasurer be and he is hereby directed to abate the the sum of $141 26 from the bill assessed upon Nathaniel McKay for sidewalks laid in front of vacant land on Lexington street, corner of Marion street, said McKay not being the owner of said land.

On motion of Alderman James, the following orders were passed:

Ordered, That the Committee on Common and Public Squares be authorized to purchase additional seats for the Common and Public Garden, at an expense not exceeding $2000, to be charged to the appropriation for the Common.

Ordered, That the Superintendent of Common and Squares be authorized, under the direction of the Committee on the Common, to make a flower border in the Public Garden, along the line of the path parallel with Boylston street, at a cost not exceeding $2000, said amount to be charged to the appropriation for Common, &c.

On motion of Alderman White,

Ordered, That the Superintendent of Health be and he is hereby instructed to deliver to William Seaver (Boston Highlands), one hundred loads of ashes, more or less, and that a charge of fifty cents per load therefor be made.

Ordered, That the Committee on Health be and they are hereby authorized to visit New York for the purpose of obtaining general information for the Health Department, and that the sum of $500 be appropriated for said use and charged to appropriation for health.

Ordered, That the Superintendent of Health be directed to enforce the provision of section 52 of the Health Ordinances, and for that purpose that he be directed to issue a limited number of licenses to such persons as the Committee on Health shall approve, to remove grease, bones, or refuse substances (except house offal), from cellars, stores and houses in this city, upon such terms and conditions as the Committee on Health shall deem necessary; provided, that the fee to be paid for any such license shall not exceed one dollar.

On motion of Alderman Seaver,

Ordered, That the Committee on Bridges be authorized to represent this Board before the Commissioners appointed under the act passed in 1868, entitled "An Act relating to Charles river and Warren bridges."

Ordered, That his Honor the Mayor be and he is hereby authorized to quit claim to the heirs of Thomas Tileston, all right which the city may possess of draining through their land between Purchase and Broad streets, in consideration of the payment by said heirs of the cost of diverting said drain.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Tremont street, between Camden and Ruggles streets, to furnish edgestones and lay sidewalks with brick, within twenty days.

Ordered, That the Chief of Police be directed to notify owners and abutters on Shawmut avenue, between Arnold and Washington streets; also owners and abutters on Cabot street, between Tremont and Ruggles streets; also owners and abutters on Seventh street, between Seventh and Dorchester streets, to furnish edgestones and lay sidewalks with brick; also owners and abutters on Harrison avenue, between Northampton and Eustis streets; on Northampton street, between Harrison avenue and Hampden streets, and on Hampden street, between Northamptou and Dudley streets, to furnish edgestones and lay sidewalks.

Alderman Hawes offered the following order:

Ordered, That the Harbor Master be authorized to appoint an assistant, subject to the approval of the Mayor, to take charge of the channel of the Roxbury canal, and to control the anchorage of all vessels in said canal; and that the Committee on the Harbor be requested to fix the compensation of said officer.

Alderman Talbot inquired if the Superintendent of Dover street bridge did not act in the capacity of Assistant Harbor Master, in keeping the channel clear, as indicated.

Alderman Seaver replied that he did so act, but that he wanted compensation for such services.

The order was laid over.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## APRIL 12, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at four o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

*Weighers of Coal*—Jasper H. Eaton, George S. J. Crasse; the last also measurer of wood.

*Special Police Officers without pay* — Crawford Daggett, Stephen P. Lynch, W. E. P. Veazie, Artemas Reed, H. A. Skinner, for duty at the Fitchburg Railroad Station.

Stephen Coleman and William H. Maloon, for duty at the Charity Building, Chardon street.

PETITIONS PRESENTED AND REFERRED.

Walter S. Robinson and others, that Williams street be repaved.

Hasket Derby, that Pinckney street, west of Brimmer street, be graded, and a fence placed at the end of said street.

John A. Carnes and others against the proposed change of grade in Curve street.

Sewall, Day & Co., and others, that Tremont street be paved with granite blocks from Lenox street to the railroad crossing.

Job A. Turner and others, against the change in the name of Court street to Cambridge street.

Jewett & Pitcher and others, for a revised grade of Eagle street.

Andrew Murray and others, ledge cutters, for increase of pay.

S. G. Howe, that Fifth street be graded between G and H streets.

Severally referred to Committee on Paving.

William H. Gregerson, for a drain in Mt. Pleasant avenue.

Howard A. Doe, for a sewer in D street, near the Old Colony Railroad,

Atherton T. Brown and others, that the Winthrop street sewer be extended to Cleveland street.

Robert Wright and others, that the Shawmut avenue sewer be extended to Madison street.

Severally referred to the Committee on Sewers.

C. B. Snyder and others, for lamps on Parker street, near the Western avenue. Referred to the Committee on Lamps.

Owen Nawn, for leave to sprinkle the streets in Boston Highlands.

William Manning, for abatement of assessment for a sewer in Orange court, constructed to abate a nuisance.

Severally referred to Committee on Health.

George M. King, for compensation for injuries done to a hack. Referred to the Committee on Claims.

Engineer and firemen of Boston Highlands, for a fire alarm bell on the Lewis Schoolhouse.

George L. Pike and others, that the alarm bell on St. Vincent Orphan Asylum be removed to the Everett Schoolhouse.

Severally referred to the Committee on Fire Alarms.

NOTICES OF INTENTION TO BUILD.

H. F. Hathaway, corner of Fourth and O streets; R. Bishop, corner of Federal and Swan streets; also, on Broadway, between B and C streets; Lawrence Morant, Longwood avenue, near Parker street; P. H. Rogers, Parker street, between Smith and Conant streets; N. J. Bradlee, Nos. 59 to 69 Hanover street, corner of Elm street; C. K. Kerby, 36 Hancock street; A. Lent, 235 Third street; E. B. Rich, corner of K and Eighth streets; J. S. Jenks, Eagle street, between Putnam and Knox streets; David Scott, Eagle street, between Putnam and Knox streets; Jewett & Pitcher, corner of Eagle and Knox streets; F. W. Pitcher, Eagle street, between Putnam and Knox streets; D. W. Titcomb, 95 Pleasant street; D. Damon, Meridian street; Daniel Murphy, 19 Rochester street; Thos. Bryant, Gold street; John Gallagher, Hampshire street; Edwin Hale, Gates street, between Telegraph and Dorchester street; T. J. Whidden, 62 Congress street; Baxter & Vinal, Shawmut avenue, between Oakland and Thornton streets; T. J. Whidden, corner of Chapman and Emerald streets; H. A. Sharp, Everett, between Cottage and Orleans streets; Tolman & Hunting, Columbus avenue; D. H. Jacobs, 23 Eliot street; H. M. Wilson, 18 Boylston street; W. E. Blanchard, corner of St. James avenue and Clarendon street; George E. Clark, Rogers street; John L. Noyes, Pitts street; Lewis Williams, corner of Phillips and Anderson streets, Samuel A. Way, Harrison avenue, from Castle street to Orange lane; Wm. Sayward, Newton and Pembroke streets, and Fourth between Dorchester and F streets; Wm. Denin, P street, between First and Second streets; J. O. Mason, 1 Pemberton square; Ira A. Medbury, Gold street, between F and Dorchester streets; Alden Avery, Sterling street, between Shawmut avenue and Westminster street. Severally referred to the Committee on Streets.

QUARTERLY REPORT OF CHIEF OF POLICE.

The quarterly report of the Chief of Police for the quarter ending March 31, exhibited the following statistics:

Arrests, 4958; males, 3824; females, 1134; Americans, 1240; foreigners, 3718; non-residents, 953; minors, 1036; committed, 3436; lodgers, 10,810; males, 9514; females, 96; Americans, 6889; non-residents, 8887; minors, 1766. The lock-ups show commitments, 2800; males, 2101; females, 699; foreigners, 1694; Americans, 1106.

Amount of property taken from prisoners and lodgers, which was restored as per receipts, $12,959 68; amount of property reported stolen, $61,225; stolen property recovered, $59,777 80; fines imposed, $11,559 01; witness fees earned, $2894 61; days spent in Court, 1954½; aggregate imprisonment imposed, 273 years 7 months; number of larcenies in station, 456; arrests in same, 382.

The principal causes for arrests were—assault and battery, 319; felonious assaults, 41; breaking and entering and larceny, 67; common drunkards, 111; drunkenness, 2125; disturbing the peace, 167; disorderly, 642; gaming on the Lord's day, 38; keeping houses of ill-fame, 30; larceny, 234; felonious larceny, 109; night-walkers, 84; suspicious persons, 310; suspicion of larceny, 76; truants, 42; violation of city ordinances, 67; vagabonds, 80; witnesses, 61; murder, 2; manslaughter, 2.

Under the head "miscellaneous" there were reported—accidents, 114; arrested on warrants, 145; buildings found open and secured, 523; boats challenged, 785; cases investigated, 227; defective lamps, 4473; disturbances suppressed, 1744; extra duty done by officers, 419; fire alarms given, 58; fires extinguished without alarm, 33; injured persons provided for, 42; intoxicated persons helped home, 334; lost children, 109; streets and sidewalks reported and repaired, 992; street obstructions removed, 7411; vessels boarded, 187; water running to waste, 55.

Laid on the table and ordered to be printed.

Other quarterly reports were made, as follows:

*Truant Officers' Report.* Number of cases investigated during the quarter, 3225; number found to be truants, 140; aggregate absences by truancy, 617; sentenced to House of Reformation, 20; to State Reform School, 4; to School Ship, 4; to Industrial School for girls, 5.

*Hay Weigher—North Scales.* Receipts for the quarter, $706 42, forty per cent. of which, $282 56, less expenses, $75 01, making $207 55, has been paid to the City Treasurer.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the several orders of notice, on the proposed construction of a sewer in F street, between Seventh and Eighth streets; on the petition of C. F. Karcher for leave to erect a stable on Eighth street, near Old Harbor; on the proposed laying out of Knox street, between Eagle and Condor streets; on the proposed widening of Bedford street, and on the extension of Revere street west of Charles street, were taken up. No person appearing in either case, the reports were recommitted.

The hearing on the order of notice on the proposed widening of Broad street, at the beginning of Atlantic avenue, was taken up.

A remonstrance was presented against said widening from A. C. Wheelwright, President of the Board of Proprietors of Rowe's wharf.

The report was recommitted with the said remonstrance.

AUDITOR'S MONTHLY EXHIBIT.

The Monthly Exhibit of the Auditor was laid before the Board, in print, presenting an exhibit of the general and special appropriations for the present financial year of 1868-69, as shown in the books in his office, April 1, 1869, including the April Draft, being twelve months' payment of the financial year, exhibiting the original appropriations, the amount expended, and the balances of each unexpended at that date.

The balances unexpended will have to meet the payments of interest and premium on the city and water debt, the requisitions of the county courts, and the special drafts drawn during the month of April.

The recapitulation showed the following results:

| | Appropriations, Revenues, etc. | Expended. | Unexpended. |
|---|---|---|---|
| General.. | $7,138,852 93 | $6,427,801 56 | $711,051 37 |
| Special... | 5,696,941 82 | 3,096,258 86 | 2,600,682 96 |
| | $12,835,794 75 | $9,524,060 42 | $3,311,734 33 |

Read and accepted, and sent down.

PEACE FESTIVAL.

The following communication was presented by Alderman White:

BOSTON, April 10, 1869.

*To His Honor the Mayor, and the City Council of the City of Boston:*

The undersigned, the executive committee on the subject of the National Peace Jubilee, beg leave to represent that, through the liberality of certain citizens of Boston, a sufficient sum of money has been subscribed to guarantee the pecuniary success of the Musical Festival in June next; and the committee are well satisfied that the artistic success of the enterprise is no less well assured. The interest of all classes in this community in the success of the undertaking is too manifest to need pointing out.

On such occasions, heretofore, it has been the policy of the City Government of Boston, as representing all the citizens, to tender the hospitalities of the city to distinguished National and State officers and men eminent in literature, art, and science.

Satisfied that you will take such action in the present instance as will be in keeping with the ancient fame of the city for hospitality, the undersigned simply desire to call your attention thus officially to the assured completion of the enterprise, and leave in your hands the whole matter of the reception and entertainment of the distinguished personages who may honor us with their presence.

Respectfully submitted,

ALEXANDER H. RICE,
E. D. JORDAN,
J. BARDWELL,
OLIVER DITSON,
GEO. H. DAVIS,
M. M. BALLOU,
FRANK WRISLEY,
H. HARRIS.

On motion of Alderman White, the communication was referred to the Committee on the Peace Jubilee, and the chairman of the Board, Alderman James, was added to the committee.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Order directing the Superintendent of Sewers to construct a sewer in Blossom street, between Cambridge and Vine streets, and to report a schedule of the expense thereof, pursuant to law.

Order directing the Superintendent of Sewers to construct a sewer in High street, between Federal and Summer streets, and report the expense thereof.

Order directing the Superintendent of sewers to construct a sewer in Dale, Hawthorn, Oakland, Thornton and Cedar streets, and through land of Dabney and others and of Charles Hulbert, and report the expense thereof.

Order to pay heirs of Solomon Piper fifty thousand dollars for land taken and damages occasioned by the widening of Federal street, under resolve of June 6, 1868, to be charged to Federal street loan.

Ordered, That the Harbor Master be authorized to appoint an assistant, subject to the approval of the Mayor, to take charge of the channel of the Roxbury canal, and to control the anchorage of all vessels in said canal; and that the Committee on the Harbor be requested to fix the compensation of said officer.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported sundry licenses to innholders, victuallers, for intelligence offices, the transfer of hack licenses, &c. Severally accepted.

Alderman White also reported in favor of the petition of Henry J. Megan, for leave to give a concert in Franklin Hall, and of John J. Ridgway for a Velocipede Rink at No. 7 North Russell street. Severally accepted.

Also leave to withdraw on petition of Joanna Donovan for an apple stand on Washington street; and of Alberto Negrini for a license as victualler, 116 Cambridge street. Severally accepted.

Alderman White, from the Committee on Health, reported that leave be granted to William Pray to erect a stable on Woodward street for more than four horses; also, to Daniel H. Heffernin to erect a stable for more than four horses at No. 153 Albany street. Severally accepted.

The same Committee reported favorably on the bond of Geo. W. Forristall, Superintendent of Health, which was accepted and the bond was approved.

Alderman Hawes, from the Committee on Steam Engines, reported in favor of granting the petition of the American Steam Gauge Company for leave to put up a steam engine at No. 5 Lindall street. Accepted.

Alderman Hawes, from the same Committee, on the petition of Badger & Batchelder, for leave to erect a steam engine in the building corner of Cambridge and Charles streets, reported leave to withdraw. Accepted.

Alderman Richards, from the Committee on the Fire Department, reported in favor of a petroleum license to Capen & Pierce. Accepted.

Alderman Fairbanks, from the Committee on Sewers, reported leave to withdraw on petition of Michael Conroy, for abatement of assessment for a sewer in Washington street; also on petition of Mary Faxon, for abatement of assessment for a sewer on Washington street, and of L. B. Harrington, for an abatement of assessment for a sewer in Vernon street. Severally accepted.

Alderman White, from the Committee on Health, reported an order which was adopted, for abatement of nuisances in Sturgis place and Rogers street.

Alderman White, from the same Committee, reported in favor of the transfer of the license of Frederick Sowdon to water certain streets, to G. H. Moseley. Accepted.

Alderman James, from the Committee on Lands, on the petitition of the New England Female Medical College, relative to an exchange of a lot of land on East Newton street for a lot on Concord and Stoughton streets, made a report that the Trustees in 1865 purchased the said lot of the city, and paid the full amount of the purchase, receiving a bond for a deed; believing that the interests of the city will be promoted by the exchange, the Superintendent of Public Lands has been directed to make such an exchange, the lots containing the same number of feet of land. No action of the Board is required on the subject. The report was accepted.

ARMORY BUILDING.

Alderman Baldwin, from the Committee on Armories, to whom was referred the petition of the officers of Company A, First Battalion of Cavalry (National Lancers), for better armory accommodations; and also the petition of F. W. Lincoln, Jr., and others, in aid of the same, submitted the following report:

The rooms in Sudbury street, at present occupied by the company, have not been sufficient for their accommodation during several years past, and the subject of furnishing additional accommodations, either by erecting a building specially adapted for the purpose, or hiring a portion of a building already erected, has been several times urged upon the attention of this Board by the Committee on Armories.

The annual rental of the armory on Sudbury street amounts to $1800; $600 being paid by the State, $600 by the city, and $600 by the company. Undoubtedly it would be a measure of economy

on the part of the city to furnish a permanent armory for the company in a building owned by the city.

There is a lot of land on Bowker street, forming part of the lot purchased for the Central Charity Bureau, having a front of over one hundred feet and a depth of about fifty-four feet, which is admirably adapted for the location of such a building. The third story and Mansard roof story of a building erected on this lot will contain ample accommodations for the armory, and the first and second stories can be used for city purposes, or leased for a sum which will return a good per centage on the money invested in the building.

The services which the Lancers have performed for the city on various occasions in preserving the public peace and as an escort at civic celebrations have given them a peculiar claim, which the municipal authorities have always been prompt to recognize. Believing that the request which they now make for better accommodations should receive the favorable action of the City Council, the Committee respectfully recommend the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be requested to procure plans and estimates for a building to be erected on the lot of land belonging to the city on Bowker street; said building to contain accommodations in the upper stories for Co. A, 1st Battalion of Cavalry, the lower stories to remain unfinished, subject to the order of the City Council; the expense of procuring said plans to be charged to the appropriation for armories.

The report was accepted, and the order was passed.

ENLARGEMENT OF THE PUBLIC LIBRARY BUILDING.

Alderman Baldwin, from the Joint Standing Committee on the Public Library, to whom was referred so much of the Mayor's Address as relates to the enlargement of the Public Library building, reported that they have made a careful examination of the present condition of the building, in company with the trustees, and are of the opinion that certain changes in the interior arrangements are required, and should be made without much delay. The usefulness of this institution would be greatly promoted, undoubtedly, by enlarging the present structure, as a better classification of the books could be made, access to them facilitated, and room given for the exhibition of such works of art as have been, or may hereafter be, contributed.

Without expressing any opinion at the present time in regard to the extent of the alterations which should be made, the committee would respectfully recommend the passage of an order to procure plans and estimates of such changes as the Board of Trustees deem expedient, and the whole subject can then be presented to the City Council in such a shape that definite action can be taken.

Ordered, That the Committee on Public Buildings, in consultation with the Board of Trustees of the Public Library, be requested to obtain plans and estimates for the enlargement or alteration of the Library building in Boylston street, the expense of procuring said plans to be charged to the Appropriation for Public Buildings.

The order was read twice and passed.

ORDERS PASSED.

On motion of Alderman White,

Ordered, That Chapter 132 of the acts of 1869, entitled An Act relating to the Conveying of Children to and from the Public Schools, be referred to the Committee on Public Instruction, and that said committee be requested to ascertain and report whether any additional appropriation is required to provide for the conveyance of pupils from certain sections of the city.

On motion of Alderman Pratt,

Ordered, That the Committee on County Accounts be authorized to contract with some suitable person or persons to make a classified index to grantors in the Registry of Deeds from the commencement to the year 1800, the expense of doing said work not to exceed five cents for each grantor's name, to be charged to the appropriation for the County of Suffolk.

Ordered, That the Committee on County Accounts be authorized to contract with some suitable person or persons to make a classified index to grantees in the Registry of Deeds from the commencement to the year 1855, the expense of doing said work not to exceed four cents for each grantee's name, to be charged to the appropriation for the County of Suffolk.

Ordered, That the Committee on County Accounts be authorized to contract with some suitable person or persons to make an index to the sales of real estate for non-payment of taxes recorded in the Registry of Deeds from 1843 to 1869, at an expense not exceeding five hundred dollars, to be charged to the appropriation for the County of Suffolk.

Ordered, That the Committee on County Accounts be authorized to contract with some suitable person or persons for a continuation of the index to plans in the Registry of Deeds, and for recopying and repairing old indexes, the whole expense of doing said work not to exceed fourteen hundred dollars, to be charged to the appropriation for the County of Suffolk.

On motion of Alderman Bradlee,

Ordered, That the Committee on Ordinances be requested to prepare an ordinance defining the limitations and restrictions under which wooden buildings may be erected in the Boston Highlands, in accordance with chapter 123 of the acts of 1869.

On motion of Alderman White,

Ordered, That the Superintendent of Health be and he is hereby instructed to deliver to Ignatius Ennes forty loads of ashes (more or less), and that he be charged therefor at the rate of fifty cents per load for each load so delivered.

On motion of Alderman James,

Ordered, That the Superintendent of Common and Public Squares, under the direction of the Committee on Common, &c., be authorized to paint the fence around the Public Garden, at an expense not exceeding $1000, said amount to be charged to the appropriation.

Ordered, That the Superintendent of Streets be authorized to pave Tremont street, from Boylston street to Pleasant street, with small granite blocks, at an estimated cost of $21,000.

Ordered, That the Superintendent of Streets be authorized to pave and grade Avon street between Washington street and Chauncy street, according to the established grade of said street, at an estimated cost of $5000.

Ordered, That the Superintendent of Streets be authorized to build a plank sidewalk on the easterly side of Federal street, between Dorchester street and the Dorchester line, and to put said Federal street in a good and safe condition for public travel, at an estimated cost of $1200.

Ordered, That the Superintendent of Streets be authorized to repave Federal street, between Summer street and the Federal Street bridge, with small granite blocks, at an estimated cost of $44,000.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Concord street, and in Tremont street, between Newton and Lenox streets.

On motion of Alderman White,

Ordered, That the safety and convenience of the inhabitants of the city requires the widening of Boylston street, at the corner of Lowell place, by taking land belonging to Abbott Lawrence, amounting to 246 square feet, at a cost of $4750.

Ordered, That the Committee on Laying Out and Widening Streets, be and they hereby are authorized to contract for raising and underpining the houses on the easterly side of Tremont street, between Pleasant street and the Boston & Albany Railroad bridge, so as to conform to the established grade of said street; and also for filling up the cellars and back yards to a grade not less than twelve feet above mean low water: the owners of the said houses having given the city an agreement releasing all damages in consequence of such raising of the said houses; and that the expense of the same, which is estimated at $40,000, be charged to the Tremont street loan.

Ordered, That there be paid to Abbott Lawrence and James W. Rollins, lessee, $4750 for land taken and damages occasioned by the widening of Boylston street.

Ordered, That there be paid to John Connolly $5067 for land taken and damages occasioned by the widening of Federal street.

Ordered, That there be paid to John S. Farlow $9965 82 for land taken and damages occasioned by the widening of High street, $5092 of the above awarded to the heirs of John Lepean, whose estate

was purchased subsequent to the widening, $4768, the amount awarded to said Farlow on his estate and $105 82 being the proceeds of sales of buildings.

On motion of Alderman James,

Ordered, That the Chief of Police be and he is hereby directed to notify the owner of the estate on the northerly corner of Avon street and Central Court to reduce the width of the granite sidewalk in front of said estate to the width established for the sidewalk on said Avon street; and in default thereof the Superintendent of Streets is directed to do said work at the expense of the owner of said estate.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Atlantic street; also, the owners and abutters on National street; also, on Lambert street, between Lambert avenue and Highland street; and on Norfolk street, between Lambert avenue and Highland street, to furnish edgestones and lay sidewalks with brick.

Alderman James offered the following order, which was passed:

Whereas, in the opinion of this Board, the safety and convenience of the inhabitants require that Federal street should be repaved, it is hereby

Ordered, That due notice be given to the Metropolitan and South Boston Railroad Corporations to pave the space between their rails and three feet outside thereof on said Federal street, from Summer street to the Federal street bridge, with small granite blocks; said work to be done at such time as the Superintendent of Streets shall designate by pavers approved by him, and to his entire satisfaction. Said Metropolitan and South Boston Railroads are also directed to change the position of their tracks on said Federal street, so that the centre line of said tracks shall conform as nearly as possible to the centre line of said Federal street.

ADDITIONAL LOAN FOR WIDENING FEDERAL STREET.

The following communication from the Committee on Laying Out and Widening Streets, was presented by Alderman White:

The Committee on Laying out and Widening Streets respectfully report that an additional loan of *seventy-five thousand dollars* will be required for the payment of unsettled claims for damages occasioned by the widening of Federal street, between the foot of Summer street and First street, in South Boston.

This street was widened June 6, 1868, and
a loan was made at that time of.....$250,000 00
Additional loan asked for..... 75,000 00

Making a total of.....$325,000 00

The loan of $250,000 was based on estimates made by the Committee on Streets of 1866. But since the widening of the street, the committee of last year made a careful estimate of damages, which was adopted by the Board of Aldermen, Dec. 14, 1868, and which amounted to $306,039 35.

In the settlement for damages to the Wright estate on this street, the whole estate was purchased for $27,000, which amount was paid from this loan, and which was not included in either estimate (only the portion damaged being estimated). The proceeds from this estate, when sold, will not be credited to this loan, but will be paid into the Sinking Fund.

The Committee, therefore, unanimously recommend the passage of the accompanying order.

Respectfully submitted,
NEWTON TALBOT,
EDWARD A. WHITE, } Committee.
GEORGE P. BALDWIN,

Ordered, That the Treasurer be, and he hereby is, authorized to borrow, under the direction of the Committee on Finance, the sum of seventy-five thousand dollars, and that said sum be added to the appropriation for the widening of Federal street, between the foot of Summer street and First street, in South Boston, known as the Federal Street Loan.

The order was read twice and passed.

ORDERS OF NOTICE.

Orders of notice were reported and adopted, as follows:

On the proposed construction of a sewer in Monmouth street, between Marion and Brooks streets. Hearing Monday, April 19, 4 P. M.

On the petition of Frost & Co., for leave to erect a stable for more than four horses in Stanhope street. Hearing Monday, April 19, 4 P. M.

On the proposed extension of the sewer in Mount Pleasant avenue, above Forest street. Hearing Monday, April 19, 4 P. M.

On the proposed construction of a sewer in Harrison avenue, between Dover street and Ashland place. Hearing Monday, April 19, 4 P. M.

On the notice of H. M. Wilson, that the Board proposes to widen Boylston street. Hearing Monday, April 26, at 4 P. M.

On the proposed construction of a sewer in D street, between Baxter street and the Old Colony & Newport Railroad. Hearing Monday, April 19, at 4 P. M.

On the proposed laying out and acceptance of Dartmouth street, sixty feet in width, from Columbus avenue to St. James avenue, across the Boston & Albany Railroad and the Boston & Providence Railroad. Hearing Monday, April 26, at 4 P. M.

Order declaring to be dangerous a building now erecting, owned by Timothy Connelly, on Village street, near Chapman street. Hearing Monday, April 19, at 4 P. M.

Alderman Richards moved to strike out section 28 of the rules of the Board, which prohibits Committees of the Board from visiting other cities at the public expense, without a previous vote of the Board.

In support of the motion, the mover said it was often desirable to make such visits at a small public expense, when the public would be much benefited thereby, but rather than ask for a vote of the Board, committees chose to forego the proposed visits and advantages. He was of opinion that rule 27 was sufficient to guard the public interests in such matters.

Alderman Bradlee asked to have the matter laid over, believing it would be well to consider the subject before any action was taken.

The proposition was accordingly laid over.

Adjourned to Tuesday, April 13, at 7½ o'clock.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

### APRIL 13, 1869.

An adjourned meeting of the Board of Aldermen was held this evening at 7½ o'clock, Alderman James, the chairman, presiding.

PETITIONS PRESENTED AND REFERRED.

Ryder & Harris, for the grade and line of Summer and High streets. Referred to the Committee on Paving.

ORDERS PASSED.

On motion of Alderman Richards,

Ordered, That the Superintendent of Streets be directed, under the advice of the Joint Special Committee on the Church Street Territory, to set the edgestones and pave the streets and sidewalks embraced in said territory; the expense to be charged to the Appropriation for the Church Street District.

On motion of Alderman Bradlee:

Ordered, That the Mayor be authorized to discharge the mortgage given by James W. Reed to Wm. Minot, and assigned by Wm. Minot, to Mary P. Townsend, and by the executors of said Townsend to the city, for the use of the Public Library, the note for which said mortgage was given having been fully paid.

Adjourned.

## Proceedings of the Common Council,

### APRIL 15, 1869.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, William G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Quarterly reports from the several departments were read and ordered to be placed on file.

The several petitions of George L. Pike and others and of George M. King, were referred, in concurrence.

The Auditor's Exhibit, City Document No. 36, was ordered to be placed on file.

The reference of the communication from the Managers of the proposed Musical Peace Festival, requesting the coöperation of the city in the reception and entertainment of distinguished visitors, and the addition of the Chairman of the Board of Aldermen to the Committee on said Festival, was concurred in, and Mr. Batchelder of Ward Four was added to the said Committee.

The report that no further action is necessary on the petition of the N. E. Female Medical College for an exchange of land, the request of the petitioners having been, in effect, agreed to, was accepted in concurrence.

A letter from the consulting physicians of the city, resigning their offices, was accepted, and referred in concurrence to the Committee on Nomination of those officers.

The following orders were passed in concurrence:

Order authorizing the Mayor to quit claim to the heirs of Thomas Tileston the right which the city may possess of draining through their land between Purchase and Broad streets.

Order that the Committee on Ordinances be requested to prepare an ordinance defining the restrictions under which wooden buildings may be erected in the Boston Highlands.

Order referring the act of the Legislature, relating to the conveying of children to and from the public schools, to the Committee on Public Instruction, with directions to ascertain the additional appropriation necessary to pay for the conveyance of the pupils.

The order authorizing the erection of a stable in the rear of Hook and Ladder House No. 1, and to repair the present building, at a cost of $6500, was passed under suspension of the rules.

The order authorizing the Harbor Master to appoint an assistant, to take charge of the channel of the Roxbury Canal, being under consideration,

Mr. Wadsworth of Ward Four wished to know whether it was designed to create a new office, as a charge upon the Treasury. He would prefer to give additional compensation to the person who had discharged the duties of the office of Harbor Master, rather than have a new office created. He moved that the order be laid on the table. Carried by a vote of 18 to 9.

The order requesting the Committee on Public Buildings, in consultation with the Trustees of the Public Library, to obtain plans and estimates for the enlargement of the library building, was passed in concurrence.

The order to obtain plans and estimates for a building, to be erected on Bowker street, to contain accommodations in the upper stories for Company A, First Battalion of Cavalry, the lower stories to remain unfinished until further orders, was read, and on motion of Mr. Richards of Ward Eight, was referred to the Committee on Overseers of the Poor.

The resolve and order for widening of Congress street, at corner of Milk street, was on motion of Mr. Snow of Ward Eleven referred to the Committee on Streets on the part of the Common Council.

Mr. Richards of Ward Eight, from the Committee on Streets, subsequently reported that the order ought to pass, when it was read a second time and passed.

The order authorizing the purchase of one of the American Consolidated Company's Annihilators for each of the Station, Engine, Hose and Hook and Ladder Houses was considered.

Mr. Batchelder of Ward Four moved its reference to the Committee on the Fire Department.

Mr. Tucker of Ward Six stated that the subject had been considered by that committee fully.

Mr. Osborn of Ward Six inquired whether other companies than the one named had a hearing on the subject.

Mr. Tucker replied that the various other companies had been consolidated, and the committee had no other object than to get the best machine which could be had.

Mr. Osborn said he had understood there was another machine, and that there had been cases where the Consolidated Company's annihilators had proved inefficient on account of leakage. The machine he referred to he saw in a wagon in Kilby street, which would, however, be too large and cumbersome, but smaller ones could be applied by hand. He wished further investigation before taking definite action, and moved that the report be recommitted to the Committee on Fire Department to investigate the claims of other machines.

Mr. Jacobs of Ward Five said the machine referred to had been examined. The Committee on Public Buildings had a hearing on the subject, when all parties interested were heard.

Mr. Jenks of Ward Three inquired if one member of the Committee on Public Buildings last year was not interested in this machine, and whether that was not the reason why this report was made.

Mr. Jacobs stated that if such was the fact the Committee did not know it.

Mr. Osborn said he understood that in the new machine referred to by him, power was applied by hand, while in the other ones it was not.

Mr. Jacobs said it was so.

Mr. Osborn remarked that as the Chemical Fire Annihilator was not the same as the Consolidated one, he wished all doubts as to the best one to be cleared up, or that the report be recommitted.

The motion to recommit was carried.

The order authorizing a loan of seventy-five thousand dollars, to be added to the appropriation for the widening of Federal street, between the foot of Summer street and First street, South Boston, was taken up.

Mr. Snow of Ward Eleven said he had looked in vain for the printed order, on the table and in the file, and moved that the subject be laid on the table. Carried.

SECRETARY OF THE BOARD OF ENGINEERS.

The certificate of the election of Henry W. Longley as Secretary of the Board of Engineers of the

Fire Department, was read, when the Council proceeded to a ballot, and Mr. Longley was elected, in concurrence, receiving 47 votes out of 49 cast, Messrs. Flanders of Ward Five, Woods of Ward Twelve, and Ryan of Ward Thirteen, being the Committee on receiving and counting the vote.

ELECTION OF SECOND ASSISTANT ASSESSORS.

The election of Second Assistant Assessors was taken up, when a petition was read from Johnson & Thompson and others, shoe and leather dealers, stating that conviction that some one representing their interest should be placed on the board, and recommending C. W. Forbush as a competent person, familiar with that branch of trade. The communication was ordered to be placed on file.

Messrs. Braman of Ward Six, Batchelder of Ward Four, and Ingalls of Ward Twelve, were appointed a committee to receive, sort and count the votes. The committee reported as follows:

Whole number of votes.....52
Necessary to a choice.....27

Ward 1—Daniel J. Sweeny, 52; John Noble, 52.
Ward 2—James Healey, 51; John F. Flynn, 46; J. J. Fox, 5; R. H. Carpenter, R. H. Carlton, John K. Fairfield, 1 each.
Ward 3—Briggs Mann, 4; E. C. Donnelly, 20; E. W. James, 1; Joseph Allen, 28.
Ward 4—F. S. Carruth, 43; E. Stone Goodwin, 13; Benj. T. Gould, 5; C. W. Forbush, 8; A. W. Forbush, 1; Wm. S. Whitney, 32.
Ward 5—John Maguire, 20; John A. Daley, 50; Pierce A. Doherty, 32.
Ward 6—Oliver P. Bowman, 45; J. G. Sanderson, 6.
Ward 7—John A. Johnston, 34; Charles S. Blood, 18.
Ward 8—Cadis B. Boyce, 48; B. J. Remick, 4.
Ward 9—Horace Jenkins, 49; James Standish, 2.
Ward 10—Edward A. Hunting, 37; Frederick G. Pope, 14.
Ward 11—Geo. W. Skinner, 50.
Ward 12—William Gallagher, 44; Thomas Hill, 7.
Ward 13—Geo. F. Davis, 35; Alexander Stuart, 14.
Ward 14—Wm. H. McIntosh, 46; Coleman Cook, 2.
Ward 15—S. P. Blake. 51.

Messrs. Allen of Ward 3, Whitney of Ward 4, Doherty of Ward 5, Hunting of Ward 10, and Gallagher of Ward 12, were elected, in non-concurrence, and all others having the requisite number of votes were elected in concurrence.

The order relating to the paving of the streets in the Church Street territory, was read once.

PETITIONS PRESENTED AND REFERRED.

A. P. Hawkins and others, members of the Fire Department, that a fire alarm bell on the Wells Schoolhouse be put in order. Referred to the Committee on Fire Alarms.

Mr. Jenks of Ward Three called the attention of the Council to the fact that the aggregate number of votes for an assessor of Ward Three was 53, while 52 was the whole number cast.

Mr. Ingalls of Ward Twelve, of the Committee, stated that the matter was easily explained. Some gentleman, out of sport perhaps, had voted for two persons in Ward Three, although Ward Three was entitled to only one Assessor, while he had marked off one name from some other Ward. The same was true of Ward Two.

Mr. Jenks wished to know who the votes were to be counted for, where there were more than enough in any one Ward.

Mr. Ingalls said the question was considered by the Committee, and there was no doubt that the member who voted for two Assessors in Ward Three struck off some name from the list. It was thought best to report the votes just as they were cast. This vote would not affect the result, because it might be thrown out.

Mr. Jenks said the explanation did not meet his question, for in some cases the extra vote might defeat or elect a candidate.

ORDERS PASSED.

On motion of Mr. Wadsworth of Ward Four,

Ordered, That the Committee on Public Lands be requested to set apart a lot of land on Fort avenue and Beach Glen avenue, known as the Fort lot, in Ward Fifteen, for the use of the Water Works, said lot to be placed under the charge of the Water Board.

Mr. Tucker of Ward Six offered the following order, which was read:

Whereas, Levi Gaylord, acting as a member of the Fire Department, and attached to Hose Co. No. 5, was seriously injured at a fire on the 4th of November last, while in the discharge of his duty,—

Ordered, That there be allowed and paid to Levi Gaylord the sum of one hundred and fifty dollars, on account of injuries received while in the discharge of his duty as a member of the Fire Department, said sum to be charged to the appropriation for the Fire Department.

Mr. Gray of Ward Twelve inquired if the order had been considered by any committee.

Mr. Tucker stated that the matter had been before the Engineers of the Fire Department, and the order was approved at a meeting of the Joint Committee of the Fire Department this forenoon. Mr. Gaylord experienced severe injuries in November, and cannot now touch his foot to the ground. The necessities of his family require that this order should be adopted immediately.

The order was read a second time and passed.

On motion of Mr. Snow of Ward Eleven, the order authorizing a loan of $75,000 to be added to the appropriation for the widening of Federal street, was taken from the table and read once.

Mr. Osborn of Ward Six, offered an order that 100 copies of the journal of the proceedings of the Common Council of last year be bound and furnished to new members of the Common Council, to the Board of Aldermen, and the heads of Departments.

Mr. Osborn, in explanation of the order, stated that from some reason the Board of Aldermen and Heads of Departments were not furnished with the printed journal of the Council as prepared by the Clerk, and bound in a volume. There were enough of them waiting to be bound, and if not so used they will be likely to be disposed of as waste paper. Courtesy to the other branch would seem to require that it should be furnished with the journal of the Common Council.

The order was passed.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## APRIL 19, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at four o'clock Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Ai Roe, constable to serve warrants for the Health Department.

Daniel B. Curtis, Assistant Superintendent of Health.

PETITIONS PRESENTED AND REFERRED.

Geo. F. Parkman and others, that Fruit street, west of Charles street, be opened as a highway, or else be discontinued.

H. W. Suter, trustee, N. J. Bradlee, trustee, and D. N. Richards, that the assessments for betterments on their estates in Avon place be apportioned into three parts.

J. H. Chadwick and others, that Bainbridge street may be extended to Shawmut avenue.

S. H. L. Pierce and others, that D street may be extended to Federal street.

James E. Stanley and others, that Ward street be extended to Preble street.

Severally referred to the Committee on Streets.

B. Sheridan, for a sewer in Ninth street, between E and Lark streets.

Selectmen of West Roxbury, that the city would coöperate with them in the improvement of Stony Brook.

Eleazer F. Pratt, for a sewer through Atlantic avenue and for suitable boxing along the line thereof.

H. W. Wilson and others, for a sewer in Old Harbor street.

Severally referred to the Committee on Sewers.

George S. Hillard and others, that Avon street be paved with Nicolson pavement.

Joanna Donovan, for leave to construct a cellar door-way at No. 170 Sixth street.

Harriet M. Miles, for leave to remove a tree in front of 34 Forest street.

C. A. Richards, that Northampton and Camden streets be paved with wood.

Wm. A. Lane and others, that edgestones be raised in Rochester street, and the street be graded.

H. D. Parker & Co., Paul Adams and others, that School street be paved with the Stafford wooden pavement.

Severally referred to the Committee on Paving.

Joseph Coolidge, for leave to place a steam engine and boiler in his building at the corner of Charles and Cambridge streets. Order of notice issued for May 10th, at 4 P. M.

Eben Alexander, Andrew Hall and others, for the use of Faneuil Hall, May 27, for a Universalist Festival. Referred to Committee on Faneuil Hall.

John Toland, that the city would defend a suit brought against him by a night-soil contractor. Referred to Committee on Health.

Jonas Fitch, President of the Massachusetts Charitable Mechanic Association, for the use of Faneuil Hall in September and October for the purpose of holding an exhibition of American manufactures; also for permission to erect a bridge to connect Faneuil and Quincy halls. Referred to the Committee on Faneuil Hall.

NOTICES OF INTENTION TO BUILD.

Henry Law, Marginal street, near Cottage street; T. Albert Taylor, Dorr street, between Highland street and Lambert avenue; George Schell, 1108 Tremont street; James A. Thomas, Fourth street; Joel T. Watson, Nassau avenue; Emerson & Fehmer, 3 Beacon street; F. F. Wheelock, 16 Chambers street; E. Merrill, 56 Chardon street; N. J. Bradlee, corner of Chauncy and Avon streets; Patrick Fitzpatrick, Marion, between Paris and Havre streets; W. L. & C. J. Prescott, East Castle street and Harrison avenue; Slade Luther, 42 Parkman street; H. A. Doe, D street, opposite Eighth street; F. A. Richardson, rear 224 Northampton street; Warren Hayford, Village, corner of Dover street; John Kennison, Eutaw, between Marion and Brooks streets; Chamberlain & Marston, 72 and 74 Waltham street; Chas. Woodberry & Son, 40 and 42 Congress street; Robert Bunten, corner of Merrimac and Gouch streets; Timothy Madden, corner of Paris and Marion streets; Richards & Park, 258 Tremont street; John McCormick, corner of Chelsea and Bennington streets; Stanislaus Weiler, 11 and 13 Smith street; Mark Dowling, 75 Beach street; Isaac Somes, K street; N. L. Strong, 10 Bond street. Severally referred to the Committee on Streets.

QUARTERLY REPORT OF THE CITY PHYSICIAN.

The quarterly report of Dr. Wm. Read, City Physician, showed the following results of the business of his office for the quarter ending March 31:

Persons vaccinated, 107; children examined for admission to the public schools, 71; physicians supplied with vaccine lymph, 51; appointments of men on the police, examined and certificates given, 29; number of persons visited at the jail and prescribed for, 370.

The following letter was received from the City Physician and referred to Committee on Health:

APRIL 19, 1869.

*To the Honorable the Board of Health of the City of Boston.*

*Gentlemen,*—My attention has been called to a case of sickness marked by a painful eruption in the hands and other parts of the body, in a young girl employed in one of our large box-making establishments in this city. Ascertaining that other employés had suffered, in a similar way, although to a less degree, suspicions arose that the disease in question was caused by the paste used in the work. On making this representation to the proprietors, they at once gave me a sample of the paste, remarking that they had the assurance of the manufacturers (Hall & Co., Haverhill street,) that no substances deleterious to health were used in its composition. By direction of the Assistant Superintendent of Health, I forwarded the sample of paste to Dr. J. C. White, for analysis. I have the honor to inclose his reply. I do not know as the matter comes within the sphere of action of the Board, but the public should have some protection against the great harm and danger to health which a common use of this secret preparation, as I am informed, will surely expose them to.

I am, gentlemen,
Very respectfully,
WM. READ,
City Physician.

BOSTON, 10 Park square, April 17.

*Dear Sir:*

The specimen of paste contained arsenious acid, put in, I presume, to prevent moulding. It would produce just such effects upon the skin as you describe.

Yours very truly,
JAMES C. WHITE.

HEARINGS ON ORDERS OF NOTICE.

The several orders of notice for hearings, on the proposed laying out of Rockville place; on the laying out, widening, extending and grading of Mount Warren avenue; on the petition of the Metropolitan Railroad Company for a temporary track on Berkeley street; on the proposed construction of a sewer in Monmouth street, between Marion and Brooks streets; on the petition of Frost & Co., for leave to erect a stable for more than four horses in Stanhope street; on the proposed extension of the sewer in Mount Pleasant avenue, above Forest street; on the proposed construction of a sewer in Harrison avenue, between Dover street and Ashland place; and on the proposed construction of a sewer in D street, between Baxter street and the Old Colony & Newport Railroad, were taken up, and no person appearing in either case, the reports were recommitted.

The order of notice on order declaring to be dangerous a building now erecting, owned by Timothy Connelly, on Village street, near Chapman street, was taken up.

Alderman Seaver stated that the owner was engaged in altering the construction of the building, so that it would soon be safe. On his motion the order was laid on the table.

UNFINISHED BUSINESS.

The resolve and order to lay out Glendon street, formerly Knox street (East Boston), fifty feet in width, at no expense to the city, was read a second time and passed.

The order to rescind the Twenty-eighth Section of the Rules and Orders of the Board of Aldermen, which prohibits committees of the Board from visiting other cities at the public expense, without a previous vote of the Board, was considered.

Alderman Bradlee stated that on his suggestion the order was laid over, and he was still of opinion that the order should not be passed. The rule referred to has been in force many years, and has been found to operate beneficially. If it was necessary for the interests of the city that any Committee should visit other cities, there could be no objection to coming to the Board to get an appropriation for the purpose. The Board had always been willing to appropriate money to defray such expenses, where the object of the visit was legitimate, and the expenditure could not be considered an extravagance. He did not design to make any reflections on any Committees or on this Board, in his remarks, and it was not for this Board alone that action should be taken, for there might be Boards hereafter less scrupulous in expending the public money. It might be said, it is true, that each year the Board makes its own rules, but if the rule in question is now retained it will be less likely to be rescinded hereafter.

Alderman Richards said that in offering the order he did it with due consideration, and from motives of economy. It was generally the case that when an order was put in to pay the expenses of going away, the amount was put larger for the very reason that the Committee had to come to the Board to sanction the expenditure. The money was generally all spent, for there was no fund to which a balance could be paid, and no committee would think of making a return of a balance. On the other hand, cases would frequently occur in which but a small expense would be incurred, and it would be a great saving to have the committee expend only what was necessary, and the bills to be approved on their return.

The yeas and nays were ordered on the passage of the order, which was lost, by a vote of seven to five, as follows, not two-thirds voting therefor:

Yeas—Baldwin, Hawes, James, Richards, Seaver, Van Nostrand, White.

Nays—Bradlee, Fairbanks, Pratt, Rice, Talbot.

COMMON COUNCIL PAPERS.

The petition of A. P. Hawkins and others, for a fire alarm bell on the Wells Schoolhouse, was referred in concurrence to the Committee on Fire Alarms.

The following orders were passed, in concurrence:

Order for Committee on Public Lands to set apart a lot of land on Fort avenue and Deep Glen avenue for use of the Water Works.

Order to pay Levi Gaylord $150 for injuries received while on duty as a fireman.

The order to procure plans, &c., for Armory Building on Bowker street was referred to Committee on Overseers of the Poor.

The order for purchase of U. S. Fire Annihilators, recommitted, with instructions to hear parties owning other patents, coming up for concurrence,

Alderman Richards opposed the recommitment, stating that the subject had been thoroughly considered in both the Committees on Public Buildings and on the Fire Department, and all parties had been heard. He hoped the recommendation of the insurance offices would prevail, and moved that the Board non-concur in the recommitment. The motion was carried.

ELECTION OF SECOND ASSISTANT ASSESSORS.

The election of several Second Assistant Assessors was taken up, and ballotings took place as follows:

Alderman Fairbanks withdrew the name of E. C. Donnelly in Ward Three.

Ward 3—Joseph Allen, 9; Briggs Mann, 3.

Ward 4—E. Stone Goodwin, 5; Alvin P. Rollins, 5; Wm. S. Whitney, 2.

Ward 5—John M. Maguire, 7; Pierce A. Doherty, 5.

Ward 10—Frederick G. Pope, 9; Edward A. Hunting, 3.

Ward 12—Thomas Hill, 8; Wm. Gallagher, 4.

There being no choice in Ward Four, subsequent ballotings took place, as follows:

Second ballot—E. Stone Goodwin, 4; Wm. S. Whitney, 4; A. P. Rollins, 4.

Third ballot—Rollins and Goodwin, 4 each; Whitney and Granville Mears, 2 each.

Fourth Ballot—Rollins, 6; Mears, 1; Goodwin, 2.

Fifth ballot—Rollins, 7; Mears, 5.

Mr. Allen was elected in concurrence, the others all in non-concurrence.

REPORTS OF COMMITTEES.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman White, from the Committee on Licenses, reported licenses for five boot-blacks, two newsboys, and one boy each to sell shoe lacings and lamp mats. Accepted.

Alderman White also reported licenses to twenty victuallers, several wagon licenses and for the transfer of others, also licenses for the sale of second-hand articles and for a billiard saloon. Severally accepted.

The same committee reported in favor of licenses to A. P. Ryder to give a concert at Tremont Temple; L. B. Lent, for a circus for two weeks from July 5; Warren Street Chapel Festival at Music Hall May 1; Davenport Brothers, for a Seance at Music Hall; Thos. J. Denny, for a variety performance at the Theatre Comique; also for the exhibition of Sheep and the Wild Men of Borneo. Severally accepted.

The same committee made a report revoking the license of Joseph Sheinfeldt as a dealer in second-hand articles, for cause, at No. 122 Essex street. Accepted.

Alderman Seaver, from the Committee on Market, reported in favor of a transfer of half a lease of Stalls 69 and 71, Faneuil Hall Market, and half a lease of Stall 23 new Faneuil Hall Market. Accepted.

Alderman Hawes, from the Committee on Steam Engines, reported in favor of granting the petition of Hill Brothers, to put up a steam engine at the corner of F and Third streets. Accepted.

Alderman James, from the Committee on Paving, reported reference to Committee on Streets, on the petition of S. G. Howe that Fifth street be graded, and on petition of J. E. & N. Brown, for change of name of Highland place to Parker Hill avenue, and that it be accepted and extended. Severally accepted.

Alderman James, from the same committee, reported no action necessary on petition of John A. Carnes and others against a change of grade in Curve street; and leave to withdraw severally on petitions of Sarah E. and Israel Huckins, for grade damages in Shawmut avenue; of Lucius B. Marsh, that the portion of Warren avenue between Pembroke and Newton streets be called Columbus avenue; of Charles F. A. Feyhl, for compensation for change of grade of Ruggles street, and of Phebe Daniels, for compensation for grade damages in Shawmut avenue. Severally accepted.

Alderman White, from the Committee on Health, reported that leave be granted to C. F. Karcher to erect a stable for more than four horses on Eighth street. Accepted.

Alderman Fairbanks, from the Committee on Sewers, reported leave to withdraw on petition of the heirs of Peter Renton, for an abatement of an assessment for a sewer in Broadway, and of Robert Wright and others, for an extension of the Shawmut avenue sewers.

Alderman James, from the Committee on Paving, made a report that changes in the names of the following named streets be hereby adopted; and the order was passed:

Ashland street, Ward Fourteen, to be called Seaview street.

Berlin street, Ward Nine, to be called Tennyson street.

Brewster street, Ward Thirteen, to be called Renfrew street.

Foundry street, Ward Thirteen, to be called Farnham street.

Marion street, Ward Nine, to be called Melrose street.

Messinger street, Ward Six, to be called Brimmer street.

ORDERS OF NOTICE.

Orders of notice were reported and adopted as follows:

On the proposed construction of a sewer in Sixth street. Hearing Monday next, April 26, 4 P. M.

On the proposed construction of a sewer on Winthrop street. Hearing on Monday, April 26, 4 P. M.

On the proposed extension of Eighth street. Hearing Monday, May 3, 4 P. M.

On the petition of Joseph Coolidge for a steam engine and boiler, at the corner of Cambridge and Charles streets. Hearing on Monday May 10, 4 P. M.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the Superintendent of Common and Squares, under the direction of the Committee on Common and Public Squares, be authorized to purchase the gravel required for the walks and malls on the Common, Public Garden and Public Squares; also the loam, manure, sods, trees, plants, vines, seeds and bulbs to be used on the same, the expense thereof not to exceed the several sums estimated therefor in the Auditor's estimates for 1869-70, amounting to $15,500, said amount to be charged to the appropriation for Common, &c.; also be authorized to pave new gutters and repair old ones on the Common and Public Squares, at an expense not exceeding $1300, to be charged to the appropriation for Common and Public Squares.

Ordered, That the Committee on Common and Public Squares be authorized to contract for doing all the work and furnishing all the plants, shrubs, &c., required in Worcester, Franklin, Blackstone and Lowell squares, and Union park, during the season of 1869, for a sum not exceeding $1550, to be charged to the appropriation for Common and Public Squares.

Ordered, That the Superintendent of Common and Squares, under the direction and approval of the Committee on Common, &c., be authorized to contract for the amount of earth and loam required to grade the low portion of Boston Common lying between the Frog Pond and Beacon Street Mall, at an expense not exceeding $4000, to be charged to the appropriation for Common and Public Squares.

Ordered, That the Superintendent of Common and Squares be authorized to hire team work for the Common, Garden, and Public Squares, and purchase tools and tree guards for the same, at a cost not exceeding $2000; also to repair drains, cesspools, and mason work to fountains located on the Common, Public Garden and Public Squares, at a cost not exceeding $1500, to be charged to the Appropriation for the Common.

Ordered, That the Superintendent of Common and Public Squares be authorized, under the direction of the Committee on Common and Public Squares, to employ such laborers as are required for the care and improvement of the Common, Public Garden and Public Squares, &c., the pay of said laborers to be charged to the appropriation for Common, Public Squares, &c.

Ordered, That the Superintendent of Health be authorized to water that part of the mill dam road lying between Dartmouth street and the boundary line between the city of Boston and the town of Brookline, said watering to be done as a matter of economy, to prevent the gravel from being blown away and to preserve the roadway in good condition.

On motion of Alderman Van Nostrand,

Ordered, That the Committee on Bathing be authorized to repair and maintain the bathing houses for men and boys on West Boston bridge, Craigie's bridge, Warren bridge, Arch wharf, Mount Washington avenue bridge, at the foot of L street, South Boston, on Dover street bridge, one in South Bay and Cabot street, Boston Highlands; also to repair and maintain bathing houses for women and girls on Warren bridge, at the Sectional Dock, East Boston, at the foot of Broadway, South Boston, on Dover street bridge, and on Cabot street, Boston Highlands, at an expense not exceeding $1200, to be charged to the appropriation for Public Bathing.

Ordered, That the Committee on Bathing be authorized to construct a bath-house for men and boys at the Sectional Dock, East Boston, and maintain the same, at an expense not exceeding $3000, to be charged to the appropriation for Public Baths.

Ordered, That the Committee on Bathing be authorized to employ such assistance as may be required for the proper care and management of the several bathing establishments under their charge, the expense thereof to be charged to the appropriation for bathing, and, with expenditures heretofore authorized, not to exceed the amount of said appropriation.

On motion of Alderman James,

Ordered, That in addition to the rights and privileges heretofore granted, the Metropolitan Railroad Co. is authorized to lay down a temporary track in Berkeley street, from Tremont street to Providence street, under the direction of the Committee on Paving, and to the satisfaction of the Superintendent of Streets, subject to the usual restrictions, and remove the same when ordered so to do, and place the streets in the same condition as before the tracks were laid down.

Ordered, That the plan as drawn by Thomas W. Davis, City Surveyor, and dated April 19, 1869, showing the land on Newton and Stoughton streets, east of Harrison avenue, as laid out by the Joint Standing Committee on Public Lands, be and hereby is approved by the Board.

Ordered, That the Board adopt and establish the grades of Federal street, between Dorchester street and the Dorchester line, National street and Bristol street, as shown on plans made by the City Surveyor, dated April 12, 1869, approved by the Committee on Paving, and deposited in the office of the said City Surveyor.

On motion of Alderman Talbot,

Ordered, That there be paid to T. Willis Pratt $10,500 for land taken and damages occasioned by the widening of Federal street, under resolve of June 6, 1868, and that the same be charged to the Federal street loan.

Ordered, That there be paid to the heirs of Almon Platt, $6000 for land taken and damages occasioned by the widening of Federal street, to be charged to the Federal street loan.

Ordered, That there be paid to James W. Leatherbee $12,627 for land taken and damages occasioned by the widening of Federal street, under resolve of June 6, 1868, and that the same be charged to the Federal street loan.

Ordered, That there be paid to Samuel Rice $8000 for land taken and damages occasioned by the widening of South Cedar street, by resolve of Nov. 6, 1868, (the estate upon which the widening was made then belonging to Mary Eliza Bird.)

Ordered, That there be paid to Levi L. Tower $7350 for land taken and damages occasioned by the widening of Congress street, under resolve of April 16, 1869.

Ordered, That there be paid to Wm. Pray $325 for land taken and damages occasioned by the widening of Dorchester street, under resolve of July 15, 1867.

On motion of Alderman Seaver,

Ordered, That the Auditor of Accounts be instructed to examine the books, accounts, vouchers and records of the East Boston Ferry Company, and report to this Board as soon as practicable the cost of the property at present owned by said Ferry Company to the stockholders thereof, or the amount at which the same now stands them in, with such details thereof, viz.: bonds, stock, notes and otherwise, as he shall judge expedient.

Ordered, That the Chairman of the Committee on Ferries be authorized to appear before any committee of the Legislature, and take such measures as he deems expedient to protect the city's interests in the matter of legislation concerning the East Boston ferries.

On motion of Alderman Talbot,

Ordered, That a notice to quit be served on Mary Eliza Bird, Samuel Rice and James Hutchinson on the line of widening of South Cedar street.

Alderman Talbot offered three orders in relation to abandonment of estates to the Committee on Streets, with preambles setting forth the facts in relation to the same, the orders being in substance as follows, which were adopted:

Order for taking 1260 feet of land for the widening of Matthews street, the estate being abandoned by Hannah Bradford, for the widening of the street, the cost of said land being estimated at $7000.

Order for taking the land of heirs of Isaac Packard, abandoned in the widening of Matthews

street, the amount of land being 1247 feet and the estimated cost $7000.

Order for taking the land of Joseph G. Russell, 1225 feet on Matthews street, at a cost of $7000.

On motion of Alderman Bradlee,

Ordered, That the Committee on Cemeteries be authorized to contract with some suitable person or persons for repairing the tombs on the Common Burial Ground at an expense not exceeding $2000, to be charged to the appropriation for cemeteries.

On motion of Alderman James, That the Superintendent of Streets be authorized to reset the edge stones and pave the gutters on Williams street, from Washington street to Shawmut avenue; also to macadamize the roadway of said street, at an estimated cost of $1200.

Ordered, That the Chief of Police notify the owners and abutters on Dartmouth street, at the northwest corner of Warren avenue, to lay sidewalks with brick.

Ordered, That that the Chief of Police notify the owners and abutters on Pynchon street, from Washington to Centre street; also the owners and abutters on Williams street, from Washington street to Shawmut avenue; also the owners and abutters on Cedar street, between Centre and Pynchon streets, to furnish edgestones and lay sidewalks.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Mount Pleasant avenue; also to extend the F street sewer between Seventh and Eighth streets.

On motion of Alderman Seaver,

Ordered, That the Committee on the Police be authorised to purchase a buggy wagon for the use of the Chief of Police, at an expense not exceeding $550, to be charged to the Appropriation for Police.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## APRIL 22, 1869.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, Wm G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The quarterly report of the City Physician was ordered to be placed on file.

The order authorizing the Chairman of Committee on Ferries to appear before the Committee of the Legislature, to protect the city's interest concerning the East Boston Ferries, was passed, in concurrence.

The order for payment of five hundred dollars to each of the Commissioners, for their services in relation to the annexation of Dorchester to this city, was referred to the Committee on Claims.

The following orders were severally read once:

Order for the repair and maintenance of the Public Bathing Houses, at an expense not exceeding $12,000; and to construct and maintain a Bathing House for men and boys at the Sectional Dock, East Boston, at an expense not exceeding $3000; and to employ assistance for the care and management of the several Bathing Houses.

Orders to take the estates of Hannah Bradford, Isaac Packard and J. G. Russell, for the purpose of widening Matthews street, the same having been surrendered to the city.

The Council concurred in reference to Committee on Public Buildings of orders authorizing the purchase of land on Warren and Dudley streets, for the purpose of erecting a building thereon for Hook and Ladder Company No. 4 and a ward room for Ward Fourteen; said land not to cost more than $10,000, and for a loan of said amount to pay therefor.

The non-concurrence in the recommitment by this Council of the order for the purchase of fire annihilators for the station, engine, hose and hook and ladder houses, coming up for consideration,

Mr. Osborn of Ward Six raised a question of order. If he did not distinctly state his motion to be for recommitment to the committee on the part of this branch, it was so designed, and he thought it was so understood. He did not suppose it was otherwise until he saw it stated in the proceedings of the other branch that the recommitment was non-concurred in.

The Chair read the indorsement of reference to the Joint Special Committee.

Mr. Osborn said he knew that the matter was referred to such a committee, last year, but the powers of that committee were exhausted, and it was not competent for the Council to refer the matter to a committee of the Board of Aldermen. If the report came from a Joint Committee, the recommittal would carry it to such a committee, but not otherwise.

The chair further read from the report of the Joint Committee of this year, consisting of the committees of both branches on the Fire Department, acting together on the subject.

Mr. Osborn had not so understood the matter. In the belief that it came from the Committee of the Fire Department of this branch, he last week moved a recommitment.

He therefore moved that the Council recede from its reference at the last meeting, which was carried.

On a further motion the order was referred to the Committee of the Fire Department on the part of the Council, with instructions to hear all parties who may wish to be heard.

ELECTION OF SECOND ASSISTANT ASSESSORS.

The election of Second Assistant Assessors was taken up.

Mr. Gray of Ward Twelve withdrew the name of William Gallagher, a candidate from Ward Twelve, and stated that he was authorized to substitute the name of Thomas Leavitt.

Messrs. Nelson of Ward Nine, Poor of Ward Eleven and Hopkins of Ward Ten were appointed a committee to receive, sort and count the votes.

The committee reported as follows:

Whole number of votes.....52
Necessary to a choice.....27

Ward 4—William S. Whitney, 24; Alvin P. Rollins, 27; B. T. Gould, 1.

Ward 5—John M. Maguire, 38; Pierce A. Doherty, 14.

Ward 10—Edward A. Hunting, 35; Frederick G. Pope, 16; B. T. Gould, 1.

Ward 12—Thomas Hill, 4; Thomas Leavitt, 46; Wm. Gallagher, 1.

Messrs. Rollins and Maguire were declared to be elected in concurrence, and Messrs. Hunting and Leavitt in non-concurrence.

UNFINISHED BUSINESS.

The following orders were each read a second time and passed, the last-named by a vote of 51 yeas, no nays:

Order authorizing edgestones to be set, and the streets and sidewalks to be paved in the Church Street District, in accordance with the established grade.

Order authorizing a loan of seventy-five thousand dollars to be added to the appropriation for the widening of Federal street, between the foot of Summer street and First street, South Boston. Printed City Document No. 39, 1869.

EXTENSION OF BROADWAY.

Mr. Richards of Ward Eight, from the Committee on Streets on the part of the Common Council, to whom were referred the resolve and orders from the Board of Aldermen for the extension of Broadway sixty feet in width from Federal street to Albany street, made a report in which they state they have given the subject the consideration and attention demanded by its importance, and regret their inability to reach a unanimous conclusion.

The Committee state that the proposed extension of Broadway is one of a series of projects more or less local in the benefits to be derived from them, which have been presented to this Council and its immediate predecessors, involving large expenditures of the public money, and thereby greatly increasing the public debt of the city; and as there are other and quite important and costly measures maturing, which must soon be submitted for our concurrent action, the Committee have given the whole matter consideration as to its bearings upon the particular subject referred to them.

The expense for land taken and damages occasioned by the extension on the high grade, is estimated by the Board of Aldermen at $226,586 17.

Two estimates have been made by the City Engineer for constructing the bridge over Fort Point Channel and the approaches, viz:

First—The approaches on both sides of the channel to be solid filling, with the exception of bridges over Foundry street and Lehigh street, $366,711 50.

Second—The approaches on both sides of the channel to be partly on iron columns, $296,276.

The present estimates for the extension are based upon th approaches being built on iron columns, and the amount of $550,000 named in the order to borrow, is made up as follows:

| | |
|---|---|
| Land damages | $226,586 17 |
| Bridges and approaches | 296,276 00 |
| Grade damages | 27,137 83 |
| Total | $550,000 00 |

The Committee cite in comparison, the report of the Committee of the Board of Aldermen of 1867, making the latest estimates $808,800, the land damages amounting to $421,500.

On this it is remarked:

A comparison of these figures exhibits the singular fact that the estimates for this year are about $260,000 below those of the year 1867, nearly $200,000 being in the item for land damages, when the fact is notorious that the value of real estate within the past year has been greatly enhanced.

The committee say they are unable to furnish accurate estimates of their own, being obliged to base their calculations almost entirely upon information furnished by the Board of Aldermen. They, however, are of opinion, after a careful examination of the details, that the estimates are far below the actual cost of the extension, and in this they are sustained by the committee of this branch last year, which reported in favor of the measure.

Admitting the correctness of the estimates, the question arises, "Will the extension of Broadway to Albany street afford that relief or accommodation to travel between South Boston and the city proper which will be at all commensurate with the outlay?" They are of the opinion that it will not.

The distance in a straight line from the head of State street to Federal street at Summer street is 2100 feet; from the head of State street to Albany street at Way street is 4550 feet; from the head of State street to Dover street at Harrison avenue is 5650 feet.

They think it beyond question that nearly all the travel from South Boston will come to the city proper over any avenue which reaches directly the point indicated upon Federal and Summer streets. And persons going to the southerly portion of the city cannot be seriously inconvenienced by passing over Dover Street Bridge, which crosses Albany street at a point only 1100 feet distant from the proposed intersection of Broadway with that street.

The streets connecting Albany street with Washington street at the point where Broadway would intersect, will not remedy the discomfort experienced in Federal street. To obviate this difficulty the projectors of this extension contemplate a continuation of Broadway to Washington street; the additional cost of the continuation to this point was estimated by the Committee of 1867 (City Document 98) at $684,100, making in the aggregate the startling sum of $1,492,900.

The rapid increase in price of landed property in this vicinity, and the erection of buildings upon the line during the past year, must materially increase these figures.

The committee refer to the large expenditures made necessary by the war, and to the necessity of the strictest economy consistent with the future progress and welfare of our city, and in view of the purchasing or taking large amounts of property at this extreme point of inflation and paying for it in bonds, which, at maturity, must be paid in gold, and for other reasons, a project so partial in its bearings upon the welfare of the whole city, of such magnitude if carried out as its projectors undoubtedly desire and intend, involving an expenditure of money vastly beyond the estimates now presented to us, and which has failed to receive the favorable action of either City Council since 1866, although it has annually been pertinaciously pressed upon their consideration, should under existing circumstances, be deferred.

The great increase of the city debt and the necessity of completing projects which have been commenced, the committee remark upon these various projects requiring many millions of dollars.

The filling of the flats on the northerly shore of South Boston, and the negotiations which are going on for the use of these lands by railroad corporations, the committee believe will involve the building of the Northern avenue, to terminate at Oliver street, as now extended, and Eastern avenue, to terminate at the easterly end of Summer street, thus connecting the territory with Boston proper, at two central points, and with great thoroughfares. When the streets at South Boston running at right angles with these avenues are extended, new and direct means of reaching the centres of business, both wholesale and retail, will be furnished; and experience teaches that heavy or business travel, and generally light carriages, will follow the shortest and most direct routes.

The opinion is expressed also that South Boston will not continue to be occupied for any considerable length of time for private residences, on account of its favorable location for large manufacturing establishments.

The occupation of the flats by the railroads being placed beyond doubt, the building of the Northern and Eastern avenues will be a necessity, and cannot be avoided or delayed without sacrificing the best interests of our citizens by retarding the growth and development of the business of the city.

These reasons are believed to be sufficient to warrant the Council to delay action in this matter until we can have the whole plan for the improvement and enlargement of the territory, including the proposed new avenues, placed before us. In conclusion the Committee say, they believe the proposed thoroughfare will not afford that accommodation to the travel which the citizens of South Boston anticipate, and that the additional means of communication which are sure to be furnished in the not distant future in other localities, will entirely obviate any necessity for such a thoroughfare hereafter. They accordingly report that the resolve and orders ought not to pass.

The report is signed by Joel Richards, J. Austin Rogers and Sewall B. Bond.

Mr. Flynn of Ward Seven presented a minority report from the same committee, in which they say:

The estimate for land damages, given in detail on page 8 of City Doc. No. 31, is made by persons who have had an experience of many years in appraising the value of real estate and assessing damages caused by widening or extending streets, and whose judgment on such matters is not to be lightly set aside. After hearing their statements, and making a personal examination of the territory covered by the extension, the undersigned have every reason to believe that their estimates are substantially correct. The estimates for building the bridges and approaches are made by the City Engineer, and have not been called in question by any one. It may safely be presumed that the entire expense of making the extension from Tremont street to Albany street, including grade damages, building the roadway and paving, will not exceed $600,000.

A hearing was given by the Committee to parties interested, and a large number of persons responded, presenting in the most convincing manner, the necessity for this additional thoroughfare to the continued prosperity of South Boston. The population of South Boston at the present time is about 42,000; more than one-sixth of the entire population of the city. Its area of upland is nine hundred acres, exceeding by two hundred and ten acres the original area of upland of the city proper. With the occupation of the flats on the northerly shore, South Boston will represent in area more than one-fourth of the whole city, including East Boston and the Highlands.

The travel over the bridges for one day, gave the following result:

| | |
|---|---|
| Federal Street Bridge—Foot passengers | 17,700 |
| Teams of all kinds | 5,018 |
| Mt. Washington Avenue Bridge—Foot passengers | 8,510 |
| Teams | 3,840 |
| Dover Street Bridge—Foot passengers | 11,128 |
| Teams | 2,417 |

Remarking upon the fact that 26,210 foot passengers and 8858 teams pass over Federal street and Mount Washington avenue in a day, it is said to be obvious that some speedy relief is needed for the public travel. In the opening of the draw 7100 times in a year, blocks frequently occur to the travel in which teams collect on either side for half a mile. With the annexation of Dorchester, and the filling up of the large area in that direction, accommodations can be furnished only by an additional street located between Federal street and Dover street bridge.

Extracts are given from the report of the Committee of last year, on the value of property in South Boston, and the statement is made that the opponents of the measure have, almost without exception, admitted that the extension must take place some time. To make such an admission, and yet to vote against immediate action, seems, in view of the immense expense to which the city has been subjected from the delay to widen and extend streets until the advance of business has rendered it unavoidable, an astonishing want of foresight. In the present instance, every year's delay must, of course, greatly augment the expense. The minority do not think the condition of the treasury forbids this measure of improvement, and say it should be remembered that a large part of the sum which went to increase the debt last year, will be returned to the city treasury under the assessments for betterment, and go into the sinking fund for the redemption of the debt.

They think it cannot be pretended that this measure will be less beneficial to the city than the widening of Hanover or Federal street, and conclude as follows:

"To us it seems clear that the public safety and convenience require that this additional thoroughfare to South Boston should be built; that it can be built at less expense now than at any future time; and that the plan proposed is the only one by which the accommodation required can be obtained."

The passage of the resolve and order is accordingly recommended, and the report is signed by James J. Flynn and George H. Johnston.

Mr. Richards moved that the report of the committee be laid on the table, and that Thursday evening next be assigned for its consideration.

Mr. Ingalls of Ward Twelve seconded the motion, with the statement that no more important matter was likely to come before the Council, and none so important to the people of South Boston. He did not wish to hurry it, and asked nothing but what was right. It was not designed to make extended speeches, but the members of the Council would be asked to go over the ground, and if they thought the avenue was needed, they should vote for it.

The motion for assignment was carried.

The report of the minority of the committee was at first ordered to be placed on file, when, on motion of Mr. Flynn, a reconsideration was carried, and this report was also assigned for consideration on Thursday evening next.

Mr. Flynn, from the Committee on Streets of the Common Council, to whom was referred the resolve and order for the widening of Bennet avenue, made a report, as follows:

Bennet avenue runs from Prince street to North Bennet street, a distance of about 200 feet, and is the only opening between Hanover and Salem streets, which are 530 feet apart. The present width of the avenue is about 6½ feet. The plan of the Board of Aldermen contemplates widening to twenty feet, by taking 2037 square feet of land from estates on the southerly side, at an estimated expense of $11,051 50. The present avenue contains 1390 square feet, but the rights of the abutters therein will not, it is understood, give them any claim upon the city for damages on account of the laying out as a public way.

In accordance with the instructions of the council the Committee gave a hearing to all persons interested in the proposed widening, and they also made a personal inspection of the present condition of the avenue. It appeared from the evidence of the petitioners that all the owners on the northerly side were in favor of the widening and were willing to be assessed their proportion of the benefit accruing therefrom. Of the owners on the southerly side, portions of whose estates are taken for the purpose, three are opposed to the widening and one is in favor of it. The assessors' valuation of the property on the avenue whose owners are in favor of the widening amounts to $20,000; value of property represented by the remonstrants $12,200.

Mr. S. W. Mason, Master of the Eliot School stated that, in his opinion, nearly one-third of the 750 pupils in the Eliot School, which is about opposite the easterly end of Bennet avenue, were in the habit of passing through the avenue on their way to and from school, and that a larger proportion of the pupils in the Hancock School, opposite the westerly end of the avenue, passed through it. The Hancock and Eliot School District Committees have petitioned for the widening with reference particularly to the accommodation of the scholars.

The widening is also strongly urged by the Superintendent of Health and the Chief Engineer of the Fire Department. The city carts for the collection of offal and ashes cannot enter the avenue at present, and the men are obliged to carry all the refuse matter to Prince street or Bennet street. A large portion of the time during the winter, passage through the avenue on foot is extremely difficult. The disadvantages under which the Fire Department labor to introduce their engines and hose carriages into the avenue, in case of fire near the centre, can be readily appreciated.

The evidence of the remonstrants went to show that the public safety and convenience did not require the widening; that the accommodation to public travel would be very slight; that there were many narrow passageways in the city in a worse condition than this one; that if widened at all, it should be made forty feet in width, in order to properly accommodate the heavy travel.

It appears to a majority of the committee that the preponderence of evidence was very decidedly in favor of the petitioners, and that the public interest would be promoted in a sufficient degree to warrant the expenditure required to carry out the improvement. The net cost to the city will probably not exceed $5000 or $6000, as the assessments for betterment will undoubtedly cover half the expense. The majority would respectfully recommend the passage of the resolve and order. Said report was signed by James J. Flynn, George H. Johnston and Sewall B. Bond.

The report was laid on the table and ordered to be printed.

Mr. Richards, from the same committee, presented a minority report, signed by himself and J. Austin Rogers, in which it is recommended that said Resolves and Orders be rejected, which was also laid on the table.

Mr. Osborn of Ward Six, from the Committee on Ordinances, who were requested to prepare an ordinance establishing the office of Assistant City Clerk, in accordance with the provisions of chapter 72 of the acts of 1869, recommended the passage of an accompanying ordinance.

The ordinance provides for the appointment of such assistant by the City Clerk, to be confirmed by the Board of Aldermen, to be made in July the present year, and in January annually thereafter, and to be compensated for his services out of the appropriation for clerk hire. It shall be the duty of said assistant to assist in recording, indexing and certifying mortgages of personal property, mechanic's liens, &c., and if necessary to make attestation of documents as provided in the act of 1869, and perform all other duties pertaining to the office of City Clerk when so requested, or necessary.

The ordinance was read once, and to an inquiry of Mr. Osborn, the chair stated that its provisions were such as required it to lie over under the rule for a second reading at the next meeting.

On motion of Mr. Wadsworth of Ward Four, the order authorizing the Harbor Master to appoint an Assistant to take charge of the channel of the Roxbury canal was taken from the table.

Mr. Wadsworth said as the order did not contemplate the creation of a new office, as he at first supposed, but simply authorized the Harbor Master to employ the gentleman who performed the same duties for the City of Roxbury, he hoped it would pass.

Mr. Snow of Ward Eleven inquired who performed the duties last year.

Mr. Ryan of Ward Thirteen said the gentleman now acting was employed by the city last year, and it was designed that the Harbor Master should have the control of him. This gentleman was an old sea captain who was employed by the city of Roxbury in the same duties for several years at a salary of $200 or $300.

Mr. Rich of Ward Fourteen was of the opinion that if the order was designed to establish a new office, it would be better to refer the matter to the Committee on Ordinances, to report an ordinance to that effect. He moved that such a reference be made.

Mr. Keith of Ward Fifteen thought this was too small a matter to regulate by ordinance. The Harbor Master had control of such matters, and this was but a branch of his office. The whole amount involved was not more than $200, and it would be making a mountain out of a molehill to pass an ordinance for establishing such an insignificant office. It would be better to pass the order as it came from the Board of Aldermen.

The motion to refer to the Committee on Ordinances was lost, when the order was passed.

Mr. Ingalls of Ward Twelve moved that when the Council adjourned it would be to a quarter to four o'clock on Thursday next, to proceed to view the route of the extension of Broadway. Carried.

A petition was presented from John Mack, for extension of time required for building on a lot purchased of the city on Concord street. Referred to the Committee on Public Lands.

Mr. Wadsworth of Ward Four offered an order, which was read twice and passed, as follows:

Ordered, That the Superintendent of Sewers be directed, under the advice of the Joint Special Committee on the Church Street District, to lay sewers and establish a complete system of drainage for said district, the expense for doing said work to be charged to the appropriation for said district.

On motion of Mr. Pickering of Ward Fourteen, 8 o'clock was fixed as the hour of meeting of the regular sessions of the Council.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

### APRIL 24, 1869.

At a special meeting of the Board, at noon today, Mayor Shurtleff presiding, it was ordered that the Chief of Police keep clear from all obstructions the streets through which the Odd Fellows procession will pass on Monday next.

Adjourned.

## Proceedings of the Board of Aldermen,

### APRIL 26, 1869.

The regular weekly Meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

*Special Police Officer, without Pay*—Abraham C. Mace, for duty in the immediate neighborhood of Commonwealth avenue; Charles H. Wright, for duty in Commonwealth avenue, Marlboro, Arlington and Berkeley streets.

*Fire Department.* Joseph D. Brown, as member of Engine Co. No. 8; Geo. W. Frost, as a member of Hook & Ladder Co. No. 4.

PETITIONS PRESENTED AND REFERRED.

Hiram Stearns and others, that Clarendon street, between Appleton street and Columbus avenue, be accepted.

Erastus B. Badger, for apportionment of Bowker street betterment into three parts.

George Gardner for apportionment of Avon street betterments into three parts.

W. H. Wentworth, for apportionment of Bowker street betterment into three parts.

Jordan & Marsh, that the assessment of betterments on Avon street be apportioned into three parts.

E. W. James and others, that Auburn street be extended to Leverett street.

Francis D. Stedman and others, that Lovering place be laid out as a public highway.

Severally referred to the Committee on Streets.

Joseph Nickerson and others, that Providence street from Church street to Berkeley street, be graded and put in order.

Boston & Maine Railroad Company that the streets adjacent to their passenger station in Haymarket square, may be put in order.

J. Watson Taylor, for leave to cut down a tree at 27 Forest street.

G. S. Hillard and others, that Tremont street, from Winter to Avon street, be paved with Nicolson pavement.

Beals, Greene & Co., to be paid for damages caused by change of grade of Water and Devonshire streets.

C. B. Goodrich and others, that portions of Tremont and Avon streets be paved with the Stafford pavement.

Freeman Smith and others, that Bradford street be repaired and put in order.

J. G. Sanderson and others, that Myrtle street, from Hancock to Joy street, be paved with wood.

Severally referred to the Committee on Paving.

John Quinn, for leave to erect a stable on Broadway, between K and L streets.

Wilson & Buzzell, for leave to construct a stable at the corner of Federal and Alger streets.

Severally referred to the Committee on Health.

Jarvis W. Dean and others, that a sewer be laid in Eustis street, formerly Orchard street.

Harriet M. Miles, for a sewer in Forest street and Mount Pleasant avenue to Dudley street.

B. B. Brown and others, for a sewer in Gates street.

Severally referred to the Committe on Sewers.

Ancient and Honorable Artillery Company for the use of Faneuil Hall, 7th of June next.

Referred to Committee on Faneuil Hall.

C. H. Hovey and others, for a gas lamp in Circuit and Regent streets. Referred to Committee on Lamps.

Of the several Savings Banks of this city, that registered bonds be substituted for City of Boston coupon bonds. Referred to Committee on Finance.

Company K, First Regiment Infantry, for additional allowance for armory rent, and for approval of armory at 154 Broadway. Referred to Committee on Armories.

National Lancers, for the use of Faneuil Hall, on June 14 and 15. Referred to Committee on Faneuil Hall.

Sundry citizens, on behalf J. P. Greene, for leave to have a periodical stand at the corner of Washington and Avon streets. Referred to Committee on Licenses.

Robert Simpson, Stephen P. Kinsley, Henry A. Drake, Albert H. Hopkins, Joseph H. Lawrence, William Seaver, Jr., and 399 others, that the bells may be rung in Boston Highlands morning, noon and evening. Referred to Committee on Bells, &c.

NOTICES OF INTENTION TO BUILD.

E. & C. H. Smith, 637 and 639 Tremont street; N. J. Bradlee, 176 Tremont street; Spenceley & Earl, Kendall street; John Mahony, Prentiss street; Stoddard & Wilcutt, corner of Tremont and Dover streets; Richardson & Young, 8 Derne street; L. Bartlett, 129 Brookline street; J. P. Power, Broadway, between H and I streets; Miller & Horton, Third street, between F and Dorchester street; S. & A. R. Whittier, Harrison avenue; F. B. Winter, 43 to 49 Hanover street; James Baker, corner of Paris and Decatur streets; Wilson & Buzzell, Alger street; John Shea, 323 Federal street; P. S. Quirk, corner of P and Fourth streets; John McSweeney, Broadway, between A and B streets; S. J. F. Thayer, 421 and 423 Broadway, between F and Dorchester streets; C. H. Taggard, Grove street, between Cambridge and Phillips streets; Robert Wright, corner of Decatur and London streets; Webb & Ward, I street, between Second and Third streets; Odiorne & Wheeler, corner of Washington and Groton streets; A. J. Preble, Saratoga street, near Prescott street; Edward Hennessey, corner of B and Third streets. Severally referred to the Committee on Streets.

HAYWEIGHER, EAST BOSTON SCALES.

J. W. Kimball, Hayweigher, East Boston scales, reported as fees received for the quarter ending March 31, $39 43, two-fifths of which amount, $15 77, has been paid to the City Treasurer. Read and ordered to be sent down.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the several orders of notice on the proposed construction of a sewer in Winthrop street, on the proposed construction of a sewer in Sixth street, on the proposed laying out and acceptance of Dartmouth street, and on the petition of H. M. Wilson, of the intention of the Board to widen Boylston street, were taken up. No one appearing in either case, the several reports were recommitted.

The hearing on the order of notice, on petition of Smith & Lovett, for leave to put up a steam engine at 127 Albany street, was taken up.

A remonstrance of George E. Houghton and others against the same was presented, and Thos. J. Welch, one of the remonstrants, expressed a wish to be heard.

On motion of Alderman Hawes, the report was recommitted, with instructions to give the parties a hearing on Friday next, 10 o'clock.

UNFINISHED BUSINESS.

The following order was considered on its final passage:

Ordered, That Vernon street be extended, from Cabot street to Tremont street, by taking land belonging to Wm. H. Honeywell and James McMahon, amounting to 7589 square feet; also 1747 square feet, belonging to Laban S. Beecher; also land belonging to the city of Boston, containing 1028 square feet; also 2257 square feet of land belonging to Laban S. Beecher; and a parcel of land belonging to persons unknown, containing 18.664 square feet, the whole expense amounting to $7092.

Alderman Talbot stated that by cutting through a short space a continuous street would be made from Washington street to Tremont street, there

being now none in the Highlands from Ruggles street to the junction of Washington and Tremont streets. As the land was about to come into the market, it seemed desirable to the Committee that this street should be extended at the present time.

The order was read a second time and passed.

COMMON COUNCIL PAPERS.

The petition of John Mack, for extension of time for building on a lot purchased of the city on Concord street, was referred to the Committee on Public Lands in concurrence.

The order directing the Superintendent of Sewers to construct all necessary sewers for the Church Street District was passed in concurrence.

The order to pay the Commissioners on the Annexation of Dorchester $500 each for their services being on reference to Committee on claims,

Alderman Talbot believed it unnecessary to make the reference. The pay was no larger than had been established for the payment of such services, and the price was a proper one, although the Aldermen do as much in a week as the Commissioners did. As a member of the Committee, if it was referred, he should report it back again, and accordingly he hoped the Board would non-concur in the reference.

The motion to non-concur was carried.

ELECTION OF SECOND ASSISTANT ASSESSORS.

The election of two Second Assistant Assessors was taken up, when a ballot resulted as follows:

Ward Ten—Frederick G. Pope, 8; Edward A. Hunting, 4.

Ward Twelve—Thomas Hill, 8; Thomas Leavitt, 4.

Messrs. Pope and Hill were declared to be elected in non-concurrence.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of a license to the Peak Family to give concerts at the Tremont Temple; of John McCaun, to give a sparring exhibition at 119 Haverhill street. Severally accepted.

Alderman White also reported licenses to three newsboys and two bootblacks, to sundry persons as common victuallers, innholders, for wagon stands, billiard saloons, dealers in second-hand articles and keepers of intelligence offices. Severally accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Severally accepted.

Alderman Seaver, from the Committee on the Market, reported in favor of the transfer of half a lease of stalls 84 and 86 Faneuil Hall Market. Accepted.

Alderman White, from the Committee on Health, reported in favor of granting the petition of Owen Nawn, for leave to sprinkle certain streets at Boston Highlands; in favor of the erection of a stable for more than four horses by Frost & Co. on Stanhope street; no action necessary on the petition of John Toland, that the city would defend him from a suit brought against him. Severally accepted.

Alderman White also reported an order which was passed for the abatement of an assessment of $24 50 on Wm. Manning, for the removal of a nuisance in Orange court.

Alderman James, from the Committee on Paving, reported leave to withdraw on petition of Chauncey Pope for payment of damages caused by change of grade of First street; also leave to withdraw on petition of William P. Emerson, for grade damages on Albany street.

The Committee reported in favor of the petition of Augustus Bacon, that leave be granted to cut down a tree in front of No. 13 Auburn street. Severally accepted.

Alderman White, from the Committee on Health, reported an order for the abatement of nuisances on Eighth, Emerald and Tremont streets and Shawmut avenue. Adopted.

Alderman White, from the same Committee, to whom was referred the communication of the City Physician, respecting the use of a poisonous paste, made a report that the manufacturer of said paste stated to the Committee that he was not aware of any injurious effects arising from the use of the same, and he having discontinued the use of arsenic acid, no further action is required. Accepted.

PUBLIC PARK AT CHESTNUT HILL RESERVOIR.

Alderman Hawes, from the Joint Special Committee on so much of the Mayor's Inaugural Address as relates to the subject of purchasing land adjoining the Chestnut Hill Reservoir, for the purpose of laying out the same as a public park, made a report.

The Committee made a careful examination of the grounds bordering on the driveway around the Reservoir and they are of the opinion that it is not only desirable to obtain control of this land to a certain extent for the purpose of making the driveway more attractive, but that it is necessary for the protection of the Reservoir itself.

Before proceeding, however, to negotiate with the owners for the purchase, authority should be obtained from the Legislature to take such lands as may be required, under the right of eminent domain; otherwise, the city may be compelled to pay exorbitant prices to obtain possession of it. It is now too late to bring the matter before the present Legislature, for want of time and proper notice to towns and individuals who may be affected by it. They therefore recommend the passage of the following orders:

Ordered, That His Honor the Mayor be requested to petition the General Court which meets on the first Wednesday in January, 1870, for an act to purchase or take lands in the vicinity of Chestnut Hill Reservoir, and lay out the same as a public park, and for the further protection of said Reservoir, and that proper notice of said petition be given to all parties interested.

Ordered, That the Cochituate Water Board be requested to bond such lots of land required by the city in the vicinity of Chestnut Hill Reservoir as may be offered to them upon reasonable terms, and report the same to the City Council.

The report was accepted and the orders were passed.

INVITATIONS TO MUSICAL FESTIVAL.

Alderman White, from the joint special committee to whom was referred the communication from the Executive Committee of citizens, in relation to the reception and entertainment of distinguished officials who may attend the National Peace Jubilee in this city in June next, made a report recommending the passage of the following order:

Ordered, That the Joint Special Committee on the Musical Festival be authorized to tender the hospitalities of the city to distinguished civil and military officers invited by them to attend the National Peace Jubilee, the expense attending the same to be charged to the appropriation for incidental expenses.

The order was read twice and passed.

Alderman Seaver moved a reconsideration of the order passed at the last meeting of the Board, directing the Auditor of Accounts to examine the books, accounts, &c., of the East Boston Ferry Company.

In support of the motion the mover said that in an interview with the Auditor he was informed that on account of the press of business in his office, in closing up the accounts for the financial year, he could not attend to the matter of the order. Should the motion prevail, an order would be offered as a substitute.

The motion prevailed and the following order was offered and passed:

Ordered, That the Committee on Ferries be authorized to examine and inspect the books, accounts, vouchers and records of the East Boston Ferry Company, with a view to ascertain the actual cost of the property at present owned by said company, and the amount at which said property now stands on the company's books; also such information as to details in reference to bonds, stocks, notes and otherwise, as they shall deem expedient; with authority to employ such assistance as they may require to accomplish the object—the expense to be charged to the appropriations for the county of Suffolk.

Alderman James offered the following order, which was passed:

Whereas, in the opinion of this Board, the safety and convenience of the inhabitants require that Cambridge street should be repaved, it is hereby

Ordered, That due notice be given to the Cambridge Railroad Company to pave the space between their rails and three feet outside thereof on said Cambridge street, from Blossom street to

North Grove street, with small granite blocks; said work to be done at such time as the Superintendent of Streets shall direct, by pavers approved by him and to his entire satisfaction.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the street extending from Washington street to Albany street, a part of which has heretofore been called Chester Park, and a part of it East Chester Park, be hereafter called and known as East Chester park, and that the Superintendent of Streets be directed to renumber said street, commencing the numbers at Washington street.

Ordered, That the Committee on Paving be authorized to visit New York, Chicago and other cities for general information, the expense thereof, together with the expense heretofore incurred by the committee in visiting New York for the purchase of paving block, not exceeding the sum of $1000, to be charged to the appropriation for paving.

Ordered, That the Superintendent of Streets be authorized to remove the trees on Tyler and Hudson streets that project over the line of the edgestones into the roadway of said streets, so as to interfere with and endanger the passage of vehicles.

Ordered, That the Superintendent of Streets be authorized, under the direction of the Committee on Paving, to build a wooden trussed bridge over the tracks of the Boston & Albany and Boston & Providence Railroads on Dartmouth street, at an expense not exceeding $25,000, to be charged to the Appropriation for Paving.

Ordered, That the Superintendent of Streets be authorized to pave Waltham street between Washington street and Harrison avenue, at an estimated expense of $2500.

Ordered, That the Superintendent of Streets be authorized to set edgestones, pave the gutters and macadamize the roadway on Harrison avenue, between Northampton and Eustis streets; also to build the necessary cesspools, at an estimated expense of $8500.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Waltham street, between Washington street and Harrison avenue, to furnish edgestones and lay sidewalks with brick; also to notify the owners and abutters on Swett street to furnish edgestones and lay sidewalks with brick.

Ordered, That the Chief of Police be directed to notify an abutter, 71 East Brookline street, to lay sidewalks with brick; also, to notify the owners and abutters on Montgomery street to furnish edgestones and lay sidewalks with brick.

On motion of Alderman Talbot,

Ordered, That the safety and convenience of the city requires the laying out of Dartmouth street, from Columbus avenue to St. James avenue, at no expense to the city.

Ordered, That there be paid to Gustoff Danielson and Andrew Johnson $4000 for damages as lessees of wharf and building No. 462 Federal street (belonging to the city), caused by the widening of said street, by a resolve approved June 6, 1868.

Ordered, That the Committee on Laying Out and Widening Streets, be and they hereby are authorized to sell at public auction, at such time as they shall deem expedient, the balance of the Wright estate, so called, left after the widening of Federal street, and that the proceeds of the same be paid into the City Treasury.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be authorized to construct a sewer in D street, between Baxter and Old Colony streets, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be authorized to construct a sewer in Monmouth street.

Ordered, That the Superintendent of Sewers be authorized to construct a sewer in Harrison avenue, between Dover street and Ashland place.

Ordered, That the Superintendent of Sewers be authorized to construct a sewer in Warren street, between Moreland and Montrose streets.

On motion of Alderman Bradlee,

Ordered, That the Joint Special Committee on Petitions to the Legislature be authorized to appear before the Committee of the Legislature and to take such action as they deem necessary to protect the city interests in the matter of the extension of the Boston & Albany Railroad to the South Boston shore.

ORDERS OF NOTICE.

On the proposed laying out and widening of Ward street, between Dorchester and Preble streets. Hearing Monday, May 10, 4 P. M.

On the proposed construction of a sewer in Eighth street, between Gates street and Old Harbor street, and in Old Harbor street, between Telegraph and Eighth streets. Hearing Monday, May 3, 4 P. M.

On the proposed construction of a sewer in Ninth street, from Lake street to E street. Hearing Monday, May 3, 4 P. M.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

### APRIL 29, 1869.

At a special meeting of the Board of Aldermen at noon today, Alderman James in the chair, and every member present, Alderman Richards, from the Joint Standing Committee on Public Buildings, (who were directed to obtain plans and estimates for the enlargement of the Public Library building on Boylston street,) presented a report stating that after consultation with the Trustees of the Public Library, and a careful examination of the premises, the Committee are of opinion that the present building is entirely unsuited to the present and future wants of the library.

The committee say, "it is not only too small, but being situated on one of the busiest thoroughfares of the city, and being hemmed in by tall buildings, it lacks the three essential requisites for a library, viz: Quietness, light, and ventilation, and these could not be gained by any enlargement or alteration of the building. The enlargement of the building would necessitate the purchase of additional land, and in view of the high price of real estate in that vicinity, they are of the opinion that the advantages gained would not warrant the heavy expenditure. The present building could be sold for a sum almost, if not quite sufficient to erect a new building on a location better adapted to the wants of the library, and such a location, they believe, can be found on the Commonwealth's land."

The Committee therefore recommended the passage of an order authorizing His Honor the Mayor to petition the Legislature for a grant of a lot of land on the Back Bay, so-called, suitable for the location of a building to be used as a Public Library.

The report was accepted, and the order adopted by a unanimous vote.

## Proceedings of the Common Council,

### APRIL 29, 1869.

The regular weekly meeting of the Common Council was held at a quarter to 4 o'clock, this afternoon, William G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Quarterly reports were ordered to be placed on file.

Petitions from the Board of Aldermen were referred in concurrence.

The order for the sale of the Wright estate, on Federal street, was passed in concurrence.

The Council adjourned to 8 o'clock.

In the interval, the members visited the route of the proposed extension of Broadway, from Federal street to Albany street.

EXTENSION OF BROADWAY.

On reassembling at 8 o'clock, on motion of Mr. Ingalls of Ward 12 the Council proceeded to the immediate consideration of the subject of the extension of Broadway.

On motion of Mr. Ingalls, the reports of the majority and minority of the committee were laid on the table, and the orders for the extension of Broadway were taken up and read, the question being upon their passage.

Mr. Ingalls, in advocating the orders, stated that perhaps it would be as well not to say anything on the subject, his faith being strong in the assumption that every member of the Council fully understood the matter. There was not a person in his district but had a great interest in the extension, and desired its accomplishment, and the members of the Council had gone over the ground and seen the necessity of it. There were, however, some facts which he wished to present, and some statements in the report of the majority of the committee which should be replied to. He knew that the members of the committee did not intend to do a wrong, but they had made some statements not in accordance with facts, and these statements he wished to controvert.

In examining the report of the majority, he considered it unfair that this subject should be tied up with others, and not considered on its own merits. The first objection made by the majority is that of the reduction of land damages of $260,000 below those of the year 1867, which they profess not to understand. He had in his hands the report of the Committee of the Board of Aldermen in 1867, and found no difficulty in clearly understanding the matter. He had gone over the estimates, once, twice, three times, and if any one else would go over the figures, they would find that instead of the large amount of $260,000, there was only a difference of $20,000.

The Committee say they are unable to furnish any estimates of their own. They might have done so if they so desired, for they could have called before them parties competent to furnish all the estimates they needed. He proposed to give some statements on the subject, and unless facts and figures lied, and he had never known them to, it would be found that the estimates of land damages were above the real amount. Many of the items in the account of land damages were cited by Mr. Ingalls, with a comparison of the value assessed for taxation during several years. The aggregate amount in the value of land to be taken, with the estimated damages to owners of estates, was given as $226,586 17. This property was taxed in 1864 for $79,074 41; in 1865, $78,874 44; in 1866, $83,052 20; in 1867, $83,052 20; in 1868, $86,300 86.

In considering the question of what benefit this avenue will be to South Boston, the figures of distance as given by the committee were called in question. Instead of taking the measurements of the committee as stated by them, by measuring from the foot of Broadway to the Old State House, by way of Federal street, and measuring the distance by Albany and Kingston streets, the last is but 150 feet further.

Taking the measurements from the foot of Broadway through Federal street, and by the proposed avenue to Way street the distances are about equal to the City Hall; measuring the distance to the corner of Summer and Washington streets, and the new avenue will be found to be much nearer than the old line through Federal street. The figures as given by the Committee were pronounced to be unfair, and it was easy to see the fallacy of them.

Objection was also made by Mr. Ingalls to the bringing in of remarks upon the war and upon the financial matters of the country. If there had been an increase of the city debt by the last City Council, that Council alone were responsible for it. It was not a question as to what projects the city was committed to. The fact that the city was required to spend millions of dollars for the widening of Washington and other streets, and that the expense was largely increased by delay, was a sufficient argument against the suggestion of the Committe that this project should be postponed for the present.

Mr. Ingalls referred to the prediction of the committee that South Boston was not to remain long as a place of residences. After the visit of the members of the Council to the localities occupied as the residences of hard-working men, he would leave them to judge whether those predictions were likely to be verified.

It had been made a bugbear also to represent that the extension would be an avenue up in the air. The actual fact shows that the rise from Federal to Foundry street would be but seven feet, in a distance of 240 feet. The rise would be about the same as the rise in Bromfield street from Washington to Tremont streets. From Foundry street the elevation would be on pillars for 360 feet, and on the other side the grade would be a little more. Albany street at the bridge over the railroad was much above the grade of that street, and with the raising of the grade to correspond, the grade from the new avenue would be nearly on a level with the street.

The question has been asked why not cross the railroad and channel at grade. A policeman stationed at this point one day from eight o'clock in the morning to six o'clock in the evening, counted the passing of 141 locomotives, about one in every four minutes. By crossing at grade, one-half the time would be taken up. It was urged also that Dover street and the bridge might be widened. This would require a longer time for opening and shutting the gates at the railroad crossing, and in opening and shutting the draws of the bridge. At this crossing 123 trains or locomotives had been counted in a day.

Mr. Ingalls cited the figures giving the statistics of travel over the various avenues to South Boston, and spoke of the inconvenience now experienced in waiting for trains or for the passage of vessels through the draws. Federal street was now objectionable from being a border street, necessarily dirty, and an application was pending before the Legislature and the Board of Aldermen to allow the trains of the Boston & Albany Railroad to cross that street. It was declared that the interests of commerce required it. Remarking further upon the interests of the large number of the working classes, who demanded further facilities for reaching this portion of the city, the hope was expressed that their demands would be fairly and justly considered.

In conclusion, Mr. Ingalls said the people of South Boston simply asked to be treated fairly, on the good judgment of the members of the Council. They asked only that the rule of judgment should be applied to them in doing unto others as they would be done by. They had no fears about the result if that rule was applied to this case.

Mr. Wadsworth of Ward Four said he did not suppose the Council would want to vote on the question until something was heard on the other side. He had wished in the first place to call the attention of the Council to the structure. It is a bridge some 1500 feet in length, beginning at Federal street and landing at Albany street. The bridge cannot be entered between the termini. About two-thirds of it are over land, and one-third over the water. At Albany street it is four feet above the grade, and will require regrading of all the streets connecting with it in that vicinity.

The bridge is said to be for light travel, by foot passengers and by light vehicles. If a count had been made of the light vehicles which came over from South Boston, he believed it would have been very small, for there are not many people in South Boston who keep their own vehicles for the purpose of riding to this part of the city. Something was said about poor people shivering in the cold. Place those people high up in the air on this bridge and it would be seen how great would be their shivering in the cold.

The expense of this avenue will be large. The gentleman had said the amount was placed high. The amount put down for contingencies was $200,000. Take the same estimate for the whole distance as compared with the Federal street estimate, and it will be seen that sixty per cent. must be added. This will bring the amount up to $1,492,256, and in its extension to the Common, eventually, the whole cost will be $3,000,000. The estimate of the cost of the Chestnut Hill reservoir was $900,000, and the cost will be nearly $2,000,000. And so it is of all other estimates. The object in the first place is to get an appropriation, trusting that when an enterprise is commenced, no matter how much will be the cost, it will be carried out.

The bridge will be a further obstruction to the channel. He agreed that it would be impracticable to cross at grade. There will be other damages from injury to wharf property in that vicinity. All the wharves beyond, to the south, will be injured by it. As to the conveniences afforded to reach the city, Dover street affords more conveniences to all parts of the South End and Back Bay than the proposed avenue. There is Federal street which we are now widening, and which when completed will afford more than double its present advantages. So also Mount Washington avenue affords conveniences. These three avenues afford all the facilities that are needed at the present time.

Federal street, he contended, was much more convenient and direct for down town travel than the new avenue could be. The city had already granted a right to build a street from Fine Island to South Boston. That will be the street for communication from South Boston to Roxbury. The filling of the flats will necessitate the building of two new avenues to Broad street. The proposed avenue, if built, he doubted not would be wished out of the way in five or ten years.

The gentleman from Ward Twelve had objected to Federal street as a border street, and necessarily dirty. Charles and Causeway streets are border streets, but they are not dirty. So also was Commercial street a border street, but that was not particularly dirty for a street situated as that street is.

Mr. Keith of Ward Fifteen, in view of the importance of the subject, as much as any which can come before the Council the present year, could not refrain from saying something. Two weeks ago his views were the same as last year, and the arguments and inferences, as they then existed, were valid. If the arguments of the majority of the committee were correct, he should still oppose the extension. Having given much attention to this subject of late, he had come to the conclusion that his former opinions were erroneous. The first question to be considered was—Does the public necessity and convenience require the laying out of a highway? That settled, the work must be accomplished, no matter if attended with great expense.

The only portion of the city with which South Boston can be compared, is that of the Highlands, and yet the comparison is not complete. The population of these two sections is about the same. Between the city proper and the Highlands there are six avenues, wide and spacious, while to South Boston there are but three. In point of fact there are virtually but two, for most of the distance, and these liable to great obstruction.

Turning to the matter of filling the South Boston flats, he said there were not ten men in this Council who had an appreciation of the extent of these flats. When these flats were all filled, amounting to 900 acres—greater than the present amount of territory in South Boston—and taking into consideration the obstruction to the present avenues by railroads; considering also that when these flats are occupied by these railroads, the obstructions will be greatly multiplied; taking also into consideration the anticipated business on these new lands thus occupied, and it will be found that the new avenues to be built across tide water will hardly be sufficient for the accommodation of the business which is created by the filling of these flats, without providing for the wants of the people otherwise.

In regard to the making of new avenues, he had heard of the Eastern avenue for fifteen years, and yet not a stake had been driven towards the building of it. The State had been twelve years in filling up 100 acres in the Back Bay, and the Water Power Company had been nine years in filling up 200 acres. The filling at South Boston would be much more difficult, requiring a sea wall of two miles. This would require five years for building, and then the filling must be slow. When these flats are filled up, all of the avenues which can be constructed will be needed for the business of that territory. In the mean time, how is it possible for the people of South Boston, already overcrowded with travel, to be accommodated with the largely added population and increasing business?

If a new avenue is to be made, the proposed one is favorable, at a point where the channel is the narrowest. Last year he was opposed to this route because it was not proposed to construct it at grade. He had not then learned the amount of obstruction which the crossing of the railroad at grade would occasion, and which must render it almost if not quite impracticable, for it had been ascertained that 123 trains had passed this point daily.

Mr. Keith considered the question of damages and the cost of the avenue. He was satisfied on a careful examination of the subject that the estimates were fair and were to be relied upon. Difficulties which had been presented to his mind and which still troubled the gentleman from Ward Four, by cutting across estates and streets diagonally, he had found a solution of, and this he would indicate. When this avenue reaches Albany street, a good avenue was afforded down that street and Kingston street, which was to be widened to Summer street. If it was necessary to carry the avenue to Washington street and the Back Bay, by reaching Harrison avenue through Way street,

another wide avenue is reached, and by widening Orange lane, Washington street is reached, the whole at an expense not exceeding $100,000 from Albany street.

Mr. Wadsworth said he would agree with the gentleman from Ward Fifteen, that if the public necessity required this avenue, it should be built. But he did not agree with him in that matter. Some of his arguments were fallacious and unsound, in regard to the avenues across to Broad street. It would not be necessary to fill up all the space before the people of South Boston could avail themselves of the advantages of these new avenues. He could not either see a fair comparison in regard to filling up the Back Bay. In one case an individual contractor had done all the work, while in the other several powerful corporations would be engaged which would have the facilities of forwarding the work very rapidly.

Mr. Jenks of Ward Three said he listened with much interest last year to the arguments of the gentlemen from Ward Fifteen, and with as much interest to his arguments of this evening. He considered the measure to be one of the wildest schemes which was ever entertained in any age, and could not conceive it to be of any benefit to any human being.

Mr. Wadsworth referred to an obstruction by a brick building near Orange lane, and further buildings which were likely to increase the damages in carrying out the proposed extension beyond Albany street.

Mr. Johnston of Ward Twelve spoke of the report of the majority of the Committee as being to a great extent made up of irrelevant matter. With reference to the filling up of the flats, as a party interested, he had learned that the Governor and Council were opposed to moving in the matter until the interests of the shore owners had been conveyed to the State. An offer had been made to those shore owners which had been refused, and he believed that all who heard him would be in their graves before those flats were filled up. It was urged by him that the facilities for travel were not much greater for 40,000 people than they were for a population of 8000. In closing he quoted the conclusion of the minority report, as to the necessity and convenience of the avenue, that it can be built at less expense now than at any future time, and that the plan proposed is the only one by which the accommodations required can be obtained.

The question was taken on the passage of the orders, which were carried by a vote of 41 yeas to 15 nays, as follows:

*Yeas*—Messrs. Batchelder, Belknap, A. F. Cole, M. J. Cole, Conant, Crowley, Davis, Dinsmore, Doherty, Emerson, Flynn, Going, Gray, Hall, Hobbs, Ingalls, Jacobs, Johnston, Judson, Keany, Keith, Kingsbury, Leighton, Lucas, Malane, Mullane, Nelson, Noyes, Osborn, Pearson, Pote, Rich, Ryan, Talbot, Tucker, Vannevar, Wells, Wilkins, Woods, Woolley, Young—41.

*Nays*—Messrs. Bond, Braman, Butler, Daniels, Denny, Frost, Gay, Hopkins, Jenks, Poor, Richards, Rogers, Snow, Squires, Wadsworth—15.

WIDENING OF BENNET AVENUE.

Mr. Wells of Ward Three moved to take up the resolve and order on the widening of Bennet avenue. Carried.

A motion to postpone the consideration of the subject was lost, 10 to 23, when the resolve and order for the widening, were refused a second reading, by a vote of 5 to 23.

On motion of Mr. Keany of Ward Two, subsequently, a motion to reconsider was entertained under suspension of the rules, when the reconsideration was refused, without a count.

ELECTION OF SECOND ASSISTANT ASSESSORS.

The election of two Second Assistant Assessors was taken up, when Messrs. Ingalls of Ward Twelve, Going of Ward Three and Doherty of Ward Two were appointed a committee to receive, sort and count the votes. The committee reported as follows:

Whole number of votes.....55
Necessary to a choice.....28

Ward Ten—Edward A. Hunting 46, Frederick G. Pope 8, E. W. James 1.

Ward Twelve—Thomas Leavitt 42, Thomas Hill 13.

Messrs. Hunting and Leavitt were declared to be again elected in non-concurrence.

PAPERS FROM THE BOARD OF ALDERMEN.

The resolve and order for the extension of Vernon street from Cabot to Tremont street was considered.

Mr. Wadsworth of Ward Four moved its reference to the Committee on Streets of the Common Council.

Mr. Richards of Ward Eight stated that the subject had already been considered by that committee.

Mr. Wadsworth amended his motion by moving to lay on the table.

Mr. Rich of Ward Fourteen hoped the motion would be withdrawn.

The motion was lost.

Mr. Keith of Ward Fifteen made a statement of the importance of the proposed extension through a short space, which would afford another direct avenue from Washington street to Tremont street, much desired.

The order was read once.

The order for the Committee on Petitions to the Legislature to appear before the Committee of the General Court, to protect the city's interest in regard to the extension of the Boston & Albany Railroad to South Boston, was passed, in concurrence.

Mr. Batchelder of Ward Four submitted an order for the payment of the bills of Leonard & Hartley and other persons directly or indirectly connected with the City Government, provided they are approved and allowed in the usual manner.

Passed.

The orders of the day were laid on the table.

PUBLIC LIBRARY BUILDING.

The Joint Standing Committee on Public Buildings, who were directed to obtain plans and estimates for the enlargement of the Public Library building on Boylston street, presented the following report:

After consultation with the Trustees of the Public Library, and a careful examination of the premises, your committee are of the opinion that the present building is entirely unsuited to the present and future wants of the library. It is not only too small, but being situated on one of the busiest thoroughfares of the city, and being hemmed in by tall buildings, it lacks the three essential requisites for a library, viz.: quietness, light, and ventilation, and these could not be gained by any enlargement or alteration of the building. The enlargement of the building would necessitate the purchase of additional land, and in view of the high price of real estate in that vicinity, your committee are of the opinion that the advantages gained would not warrant the heavy expenditure.

The present building could be sold for a sum almost, if not quite sufficient, to erect a new building on a location better adapted to the wants of the library, and such a location your committee believe could be found on the Commonwealth's lands. The committee transmit herewith a communication from the Trustees of the library, in which they favor the proposed change of location, and would recommend the passage of the following order:

For the committee,
FRANCIS RICHARDS, Chairman.

Ordered, That His Honor the Mayor be authorized to petition the Legislature for a grant of a lot of land on the Back Bay, so called, suitable for the location of a building to be used as a Public Library.

Passed in the Board of Aldermen, April 29, 1869.

Read twice and passed in concurrence.

Mr. Keith of Ward Fifteen offered the following order, which was passed.

Ordered, That the Committee on Public Buildings be authorized to fill and complete the cellar of the George Street Primary Schoolhouse, the expense to be charged to the appropriations for Primary Schoolhouses, Public Buildings.

On motion of Mr. Woolley of Ward One, the unfinished business, relating to bathing houses, was taken up, and passed, as follows:

Orders for the repair and maintenance of the Public Bathing Houses, at an expense not exceeding $12,000; and to construct and maintain a Bathing House for men and boys at the Sectional Dock, East Boston, at an expense not exceeding $3000; and to employ assistance for the care and management of the several Bathing Houses.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## MAY 3, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Measurers of Upper Leather—Wm. Bragdon, Geo. W. Bragdon, John W. Bragdon, Jr., Wm. Powers.

Weigher of Coal—Richard W. Rogers.

Special Police Officers, without pay—Nathan J. Cottle, for duty on Boston wharf; George E. Knights, for duty at Copps Hill Burial Ground.

JURORS DRAWN.

Four grand and four petit jurors were drawn for the U. S. Court, and thirty traverse jurors were drawn for the Superior Court. The venire for the last named was of a peculiar character, as follows:

"We command you that, without delay, you make known unto the Mayor, Aldermen, and City Clerk of said city of Boston, and thus warn them to assemble at the City Clerk's office, or at some other public place in said Boston there to you made known, and to be present at the draft and selection of thirty men qualified to serve as jurors, of good moral character, of sound judgment, and free from all legal objections, and inhabitants of said city, to serve as traverse jurors at our Superior Court now holden at Boston, within and for our county of Suffolk, on the first Tuesday of April, 1869, to appraise and value the fee of a certain tract of land on Long Island in Boston harbor, belonging to Thomas J. Dunbar and Peter Dunbar, as trustees, and of a tract of land on Long Island aforesaid, belongieg to James T. Austin and Loring H. Austin, granted to the United States of America by the acts of the General Court in the year of our Lord, 1868.

We also command you that, four days at least before the day when they are required to attend, you summon the persons so drawn and selected to attend at once said Court on Monday, 17th May, 1869, at 9 o'clock in the forenoon, in room No. 18, County Court House.

Hereof fail not," &c., directed to the constable selected for the purpose, and signed by the Clerk of the Superior Court, by direction of L. F. Brigham, Chief Justice of said Court.

Before drawing the jurors, the Mayor directed the committee for the selection to give an unusual stirring of the names in the jury box.

PETITIONS PRESENTED AND REFERRED.

Mary Sigourney's heirs, for apportionment of Avon place betterments.

Second Church, for apportionment of Avon place betterment.

Wm. Gorman and others, that Bolton street be accepted, between F and Dorchester streets.

Wm. Whiting and others, that Warren street be widened and graded opposite the Haskins estate.

Gardner Greenleaf's heirs, that Dorr street be laid out as a highway.

E. W. Gurney, for apportionment of Avon place betterment.

Charles Williams and others, for extension of Mount Warren avenue to Moreland street.

Thos. H. Bradlee, for apportionment of betterment for widening of Temple place.

Severally referred to the Committee on Streets.

J. L. Hunnewell, that Eutaw place be graded, etc.

David Sears, Jr., and others, for sidewalks in Beacon street, beyond Berkeley street.

Cushman & Brooks and others, for a restoration of the name of Temple place to a portion of Avon street, and for a hearing on the subject.

James H. Beal and others, that Court street and a portion of Washington street be paved with Stafford pavement.

James Lawrence and others, that Milk street, from Pearl to Congress streets, be paved with wood.

Smith & Jacobs and others, that Wareham street may be paved.

Burnham & Darrow, that Federal street, between the bridge and Fourth street, be paved with granite blocks.

E. C. Ayer, for permission to occupy a portion of street at 239 and 241 Tremont street.

Francis E. Faxon and others, that Coolidge avenue be paved.

John Dupee and others, that Harrison avenue, between Dedham and Plympton streets, be repaved.

Severally referred to the Committee on Paving.

Co. A, Ninth Infantry, for approval of armory at 54 Pitts street; and Sheridan Rifles, for better armory accommodations. Severally referred to Committee on Armories.

John Sharland, for modification of conditions of sale of estate No. 629 Tremont street. Referred to Committee on Public Land.

John T. Clark and others, for an alarm bell on Lewis Schoolhouse. Referred to Committee on Fire Alarms.

J. Proctor Haskins and others, for abatement of a nuisance in Woodward place. Referred to Committee on Health.

French & Coffin and others, in behalf of Silas Gardner, for a fruit stand corner of Devonshire and Milk streets. Referred to Committee on Licenses.

Wm. Hayden and others, that two oil lamps be placed in Old Harbor place. Referred to Committee on Lamps.

Wesley Ritchie and others, for a sewer in Haynes street.

Charles H. Bieler and others, that the Broadway sewer from C to D streets be opened and cleaned.

John Trainer and others, for a sewer in Sixth street from Federal to Foundry street.

Patrick Barry, for abatement of an assessment for a sewer in Broadway.

John W. May, for a sewer in St. James street, to connect with Shawmut avenue sewer.

James G. Smith and others, for a sewer on Warren avenue, from Berkeley to Clarendon streets.

Severally referred to the Committee on Sewers.

The following petition was presented:

MAY 3, 1869.

The undersigned respectfully asks your honorable body that immediate measures may be taken to secure the straightening of the westerly line of Devonshire street, between Milk street and Water street, so that it shall conform to the general direction of Devonshire street, from State street, and further, so that it shall conform to the location of the new Post-Office and Sub-Treasury building as proposed upon the opposite side of the street. This application is made at the request and under the direction of the superintending architect of the Treasury Department, who takes the building in charge. WM. L. BURT,

Custodian of the Sub-Treasury and Post-Office site.

Alderman James moved that the petition be referred to the Committee on Streets, with instructions to report an order for the carrying out of the proposed widening.

Alderman Pratt inquired what was the plan of detail and where the proposed widening was applied.

Alderman James replied that it was designed to straighten the line of Devonshire street, westerly side, from Water to Milk streets, and referred to the plan before the Board.

Alderman Pratt said he understood that the proposed straightening from Spring lane to Milk street was under consideration when the plan of widening of the street was adopted, and it was thought not best to carry it out at that time on account of the expense. He had been informed that the price of the property proposed to be taken had materially advanced, and it was not desirable to go to the great expense which the straightening would require, when there were so many other places about Boston which required immediate attention. He would much rather prefer, if it was thought necessary to show the architectural appearance of the new Post Office building, to cut off a portion from the opposite side of Milk street. Rather than have the matter referred to the Committee, with instructions, he would have it referred to the whole Board, or to the Committee, to report upon the expediency of the measure. He hoped it would be laid on the table a week or two for further consideration, and moved that it be laid on the table.

Alderman Richards hoped that the matter would be disposed of at once, for it was understood that not a stone could be put down for the new building, which would cost two or three millions of dollars, until this was settled. In coming upon Devonshire from Franklin street, the angle at the corner of Milk street is some ten or twelve feet, and it will be thought strange hereafter if this is not cut off.

Alderman Pratt said he would personally like to see the improvement carried out, but he did not believe the citizens would think the improvement would justify the expense.

Alderman Van Nostrand inquired whether the betterment would apply to the cutting off.

Alderman Talbot replied that it might have applied to the original widening, but not much to this.

Alderman Baldwin said he was not quite prepared to vote on this subject, and hoped there would be some delay.

Alderman Richards thought there was some misunderstanding on the subject. The committee might report on the subject, when it would be considered, and if not satisfactory it could be voted down.

Alderman Baldwin moved that the petition be referred to the Committee on Streets, without the instructions.

The motion of Alderman Pratt was withdrawn, and the reference was carried.

NOTICES OF INTENTION TO BUILD.

C. W. Freeland, Devonshire street; J. M. Porter, Broadway, between E and F streets; Wm. O'Keefe, corner of Yeoman street and Yeoman place; Wm. Morse, Tremont street, near Cabot street; M. F. Wells, north side of Barton street; Charles Woodberry & Son, 35 and 41 North street; N. J. Bradlee, corner of Boylston and Tremont streets; Milo Pierce, 115 Hanover street; Howard Clapp, Broadway, between K and L streets; Patrick Boyle, 10 Second street; J. M. Marston, Webber street; Edward F. Talbot, corner of Newland and Haven streets; George E. Shackley, 555 Seventh street; T. K. Durant, Seventh street, between G and H streets; Frederick Pope, Beacon street, near Fairfield street; Louis Weissbein, 28 Chauncy street; H. B. Sargent, Washington street, corner of Washington place; C. Tilden, Jr., Perrin street, opposite Alaska street; Wm. Evans, corner of Washington and Lenox streets; Hugh H. Rose, Eighth street, near Dorchester street. Severally referred to the Committee on Streets.

QUARTERLY REPORTS.

*Report of City Clerk.* The report of the City Clerk states that he has received for the quarter ending April 30, for fees, (except for dog licenses,) the following sums:

| | |
|---|---|
| Recording mortgages of personal property, assignments, liens, &c | $470 08 |
| Licenses of billiard saloons | 246 00 |
| Licenses of intelligence offices | 3 00 |
| Sale of old ballots | 8 70 |
| Total | $727 78 |

All of which has been paid into the City Treasury.

The report was read and sent down.

*City Registrar's Report.* The City Registrar reports that during the quarter ending April 30, he has issued 753 certificates of intentions of marriage, and received $376 50, which sum he has paid into the City Treasury. Read and sent down.

*Superintendent of Faneuil Hall Market.* Receipts for the quarter were as follows:

| | |
|---|---|
| Received for rent of stalls | $10,396 50 |
| " " " cellars | 5,280 00 |
| " " permanent outside stands | 498 75 |
| " " weighing at market scales | 31 25 |
| " " rent of stalls in new market | 3,030 00 |
| " " " cellars " | 1,462 50 |
| " " lobster stand | 25 00 |
| Cash paid to City Treasurer | $20,724 00 |

Read and placed on file.

*Report of Overseers of Poor.* The receipts for the quarter were as follows:

| | |
|---|---|
| Cash on hand, Feb, 1, 1869 | 4,139 89 |
| Drafts on City Treasurer | 18,000 00 |
| Cash from cities and towns | 4,315 65 |
| State, for relief of sick paupers | 3,880 05 |
| " " burial of State paupers | 2,796 00 |
| " " old accounts due Roxbury | 287 27 |
| " " board of State paupers, at Mass. Infant Asylum | 676 14 |
| | $34,095 00 |

The expenditures were as follows:

| | |
|---|---|
| Paid for burials | $597 62 |
| " cities and towns and State for relief of Boston poor | 2,785 17 |
| " expenses of City Temporary Home | 3,241 33 |
| " pensions and grants at office | 3,480 50 |
| " immediate relief for persons having no settlement | 131 00 |
| " for coal | 5,000 00 |
| " " groceries | 5,504 00 |
| " salary of Secretary | 500 00 |
| " " bookkeeper | 375 00 |
| " salaries of clerks | 162 49 |
| " " visitors | 900 00 |
| " office expenses | 110 51 |
| " transportation of visitors | 17 97 |
| " engineer's salary, $325; expenses, $21 87; janitor's salary, $150 | 496 87 |
| | $23,302 47 |
| City Treasurer, cash received from State | 6676 05 |
| Cash balance | 4116 48 |

Read and sent down.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the several orders of notice, on the proposed extension of Eighth street from D street to the Old Colony & Newport Railroad; on the proposed construction of a sewer in Ninth street from Lark street to E street; and on the proposed construction of a sewer in Eighth, between Gates street and Old Harbor street, and in Old Harbor street, between Telegraph and Eighth street, were taken up, by assignment. No person appearing in relation thereto, the reports were recommitted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That the Superintendent of Streets be authorized to reset the edgestones and repave the gutters and sidewalks in Bradford street; also gravel the roadway of said street, at an estimated cost of $1000.

Ordered, That the Superintendent of Streets be authorized to set the edgestones, pave the gutters, sidewalks and crosswalks, and build the necessary cesspools and surface drains, also to macadamize the roadway of Montgomery street, at an estimated cost of $4500.

Ordered, That the Superintendent of Streets be authorized to repave Waltham street from Washington street to Bradford street, at an estimated cost of $1500.

Ordered, That the Superintendent of Streets be authorized to construct a bulkhead on the easterly side of Albany street, from the Roxbury canal to Swett street, at an estimated cost of $384.

Ordered, That the Superintendent of Streets be authorized to repave Cambridge street with small granite blocks, from Blossom street to North Grove street, at an estimated cost of $5750.

Ordered, That the Treasurer be directed to refund to Bridget Kavanagh the amount of tax assessed upon certain real estate occupied by her in East Boston, and also the costs and expenses connected with the collection of said tax, amounting to $20 50, to be charged to the receipts for taxes.

COMMON COUNCIL PAPERS.

Petitions from the Common Council were referred in concurrence.

The orders to pay bills of certain members of the City Government, and to repair the cellar of the George Street Primary Schoolhouse, were severally passed in concurrence.

ELECTION OF SECOND ASSISTANT ASSESSORS.

The election of Second Assistant Assessors for Wards Ten and Twelve was taken up.

Alderman James said he was authorized to withdraw the name of Thos. Hill, Ward Twelve.

The result was as follows:

Whole number of votes ..... 12
Necessary to a choice ..... 7

Ward 10—Edward A. Hunting, 6; Frederick G. Pope, 6.

Ward 12—Thomas Leavitt, 11.

There was no choice for an Assessor for Ward Ten.

Alderman Baldwin said it was possible the antecedents of Mr. Pope were not understood. Mr. Pope was the builder of twenty-eight houses on Tremont street, had built many stores on Franklin and Summer streets, and was now building a church on Columbus avenue. He was a most excellent mechanic, was abundantly competent to discharge the duties of an assessor, was the regular nominee of the Committee, and he hoped the Board would adhere and elect him.

The result of the second ballot was as follows:

Frederick G. Pope, 8; Edward A. Hunting, 4.

Mr. Pope was declared elected in non-concurrence, and Mr. Leavitt in concurrence.

REPORTS OF COMMITTEES.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Talbot reported leave to withdraw on petition of E. A. Cushing, for compensation for injury to a building by removal of an adjoining building on Avon place; also leave to withdraw on the petitions of Erastus B. Badger and of W. H. Wentworth, severally for apportionment of betterments for Bowker street widening, they having failed to make their applications during the time provided by statute. Severally accepted.

Alderman White, from the Committee on Licenses, reported in favor of licenses to six newsboys, and of sundry persons as victuallers and keepers of billiard saloons. Severally accepted.

Alderman White also reported in favor of a license to Davenport Brothers for exhibitions for one week, and of L. Stickney for leave to give circus exhibitions at South Boston, May 12, and East Boston, May 15. Accepted.

Also a report, revoking the license of William Durant, a minor, to black boots at the corner of Tremont and Boylston streets, and leave to withdraw on petition of J. P. Greene, for a periodical stand at the corner of Washington and Avon streets. Accepted.

Alderman Richards, from the Committee on Faneuil Hall, made a report granting the several applications for the use of Faneuil Hall, as follow:

E. Alexander, Andrew Hall and others, for a Universalist Festival, May 27.

Ancient and Honorable Artillery, for the use of the Hall, June 7.

National Lancers, for the use of the Hall, June 14 and 15.

Massachusetts Charitable Mechanic Association, for a Fair in September and October, and for leave to erect a bridge to connect Faneuil Hall and Quincy Hall.

The reports were severally accepted.

Alderman Pratt, from the Committee on Lamps, on the petition of C. B. Snyder, for lamps on Parker street, near Western avenue, reported that the same be granted; also, favorably on petition of Michael Quigley for lamps on Russell court, Highlands. Accepted.

Alderman Pratt, from the same committee, reported leave to withdraw on petition of James S. Percival and others, of F. A. Blanc and others, and of A. Folsom & Son and others. Severally accepted.

Alderman Richards, from the Joint Standing Committee on Public Buildings, who were directed to make certain repairs and alterations in Engine House No. 13, at an expense not exceeding $3000, reported that from estimates which they have received, they find that the cost of the proposed repairs will exceed the appropriation. They therefore recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to enlarge the hose tower, fit up a bathing room, paint, and make such other repairs as are necessary in Engine House No. 13, at an estimated cost of $4000, to be charged to the appropriation for Public Buildings. Read twice and passed.

Alderman Richards, from the Committee on Public Buildings, made a report that the Eastern Avenue wharf is in a dangerous and unsafe condition, and should be immediately repaired. They accordingly report the following order:

Ordered, That the Committee on Public Buildings be authorized to repair Eastern Avenue wharf, at an estimated cost of $3500, to be charged to the appropriation for Public Buildings.

Read twice and passed.

Alderman Hawes, from the Committee on Steam Engines, on the petition of Smith & Lovett for leave to use a stationary engine in the building No. 127 Albany street, and the remonstrance of George E. Houghton and others against the same, reported an order, that leave be granted to put up such engine upon condition that the chimney shall be carried up to the height of seventy-five feet from the sidewalk, and the exhaust pipe altered to the satisfaction of the Committee on Steam Engines.

The report was accepted and the order was passed.

ORDERS OF NOTICE.

Orders of notice were reported and adopted as follows:

On the notice of S. & A. R. Whittier, that the Board proposes to widen Harrison avenue. Hearing Monday, May 17, 4 P. M.

On the proposed laying out of Clarendon street, between Appleton street and Columbus avenue. Hearing May 17, 4 P. M.

On the proposed construction of a sewer in Gates street, between Dorchester and Telegraph streets. Hearing Monday, May 10, 4 P. M.

On the proposed assessment of betterments for the widening of Hanover street, a notice to all parties interested. Hearing Monday, May 17, 4 P. M.

On the petition of John Quinn, for leave to erect a stable for more than four horses, on Broadway, between K and L streets; and of Wilson & Buzzell for a stable for more than four horses on Federal and Alger streets. Hearing Monday, May 10, 4 P M.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the Superintendent of Streets, under the direction of the Committee on Paving, be authorized to build, by contract or otherwise, the necessary bridges and other structures for the extension of Broadway from Federal street to Albany street, according to the plan adopted by the City Council and approved May 3, 1869, the expense to be charged to the appropriation for the extension of Broadway.

Ordered, That the Superintendent of Streets be authorized to pave the area around Joy's building, on Cornhill court, with the Stafford pavement, at an estimated cost of $600.

Ordered, That the Chief of Police be and he is hereby directed to close Devonshire street against public travel, from State street to Water street, until the buildings on the easterly side of said street shall have been removed and the widening completed.

Ordered, That the Superintendent of Streets be directed to remove all obstructions from Dover street, between Harrison avenue and Albany street, and from Harrison avenue, between Dover and Bristol streets, and to grade and pave said streets to the line of widening, at an estimated cost of $5000.

On motion of Alderman White:

Ordered, That the Committee on Licenses be authorized to have inspections of the Musical Festival building made from time to time during its construction, and for that purpose to appoint one or more engineers to act with the City Engineer in making such inspection.

Ordered, That the Superintendent of Health be and he is hereby instructed to furnish Samuel Stillings with 200 loads of ashes (more or less) on Appleton street, and that a charge of fifty cents per load be made for such ashes so delivered.

Ordered, That the Superintendent of Health be and he is hereby instructed to deliver on land of Boston Wharf Co. such refuse ashes and rubbish as may be collected, and that said company be charged at the rate of twenty-five cents per load for such ashes so delivered.

On motion of Alderman Pratt,

Ordered, That the Committe on Lamps be, and they are hereby authorized to contract with Freeman Howland for the repairing of the public lamps in the city proper, South Boston, and the Highlands, for one year from May 6, 1869, for the sum of $3975, payable in equal monthly instalments.

Ordered, That the Committee on Lamps be, and they are hereby authorized to contract with Messrs. J. S. & Eli Hamblin for the repairing of

the public lamps at East Boston, for one year from May 6, 1869, for the sum of $600, payable in equal monthly instalments.

On motion of Alderman Talbot,

Ordered, That the assessments heretofore laid for the opening of Avon place, upon H. W. Suter and N. J. Bradlee, trustees, N. J. Bradlee and J. C. Bayley, Trustees, heirs of B. B. Appleton, Dexter N. Richards, agent, George Gardner, E. D. Jordan and C. Marsh, E. W. Gurney, heirs of Mary Sigourney, and proprietors of Second Church, be apportioned into three equal parts.

Ordered, That Boylston street be widened by taking land of Warren Sherburne, containing 240 square feet, at an expense of $4250.

Ordered, That Eighth street be extended northwesterly from D street, by taking land of the city, at no expense.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be authorized to construct a sewer in Winthrop street, between Fairland and Cleveland streets, and report a schedule of the expense of the same to this Board.

Ordered, That the Superintendent of Sewers be authorized to construct a sewer in Sixth street, between M and N streets, and in M street, between Fifth and Sixth streets, and report a schedule of the expense of the same to this Board.

On motion of Alderman White,

Ordered, That there be allowed and paid to the commanders of the several posts of the Grand Army of the Republic situated in Boston and numbered 7, 15, 23, 26, and 32, the sum of one hundred dollars to each, to be expended in decorating the graves of Union soldiers on the 29th of May, 1869; said sum to be charged to the Appropriation for Incidentals.

On motion of Alderman Richards,

Ordered, That the Committee on Fire Department be authorized to visit Manchester, New Hampshire, and other cities, at an expense not exceeding $500, to be charged to the appropriation for Fire Department.

On motion of Alderman James:

Ordered, That a Joint Special Committee be appointed, consisting of two on the part of the Board of Aldermen, with such as the Common Council may join, to take such action as they deem proper for the entertainment of the delegates to the American Institute of Homœopathy, who meet in convention in this city on the 8th day of June, 1869, the expenses of such entertainment not to exceed $2500.

Aldermen James and Richards were appointed the committee on the part of this Board.

On motion of Alderman James,

Ordered, That the Chief-of-Police be directed to notify the owners and abutters on Sixth and Seventh streets, between K and L streets, to furnish edgestones to support sidewalks, and lay sidewalks with brick; also to notify the owners and abutters on Broadway, between K and L streets, to furnish edgestones and lay sidewalks; also the owners and abutters on Eustis street, from Orchard street to Hampden street, to furnish edgestones and lay sidewalks; also the owners and abutters on Fifth street, between L and M streets, to furnish new edgestones and lay sidewalks; also the owners and abutters on Pinckney street, from Charles street to the water, to furnish edgestones and lay sidewalks.

On motion of Alderman Talbot,

Ordered, That notice to quit be served upon the persons on the line of the extension of Broadway, the Old Colony & Newport Railroad Company, the South Boston Iron Company, Seth Adams, Globe Works, Boston & Albany Railroad Company, Wm. S. Perry, heirs of Edward Harney, Samuel A. Way, Alice C. Driscoll, and Henry Town, to remove all obstructions to said extension of Broadway, by the 1st August next.

Ordered, That notice to quit be served upon George Paul and George Abbott, to remove all obstructions on the line of widening of Shawmut street, by the 1st June next; also on John Bacon, on the line of widening of Piedmont street, by the 1st June next.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## MAY 6, 1869.

The regular weekly meeting of the Common Council was held this evening, at 8 o'clock, the President, William G. Harris, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The several quarterly reports of the City Clerk, City Registrar, and Overseers of the Poor, were read and ordered to be placed on file.

The petitions of John T. Clark and others, and of John Sharland, were severally referred in concurrence.

The order to refund to Bridget Kavanagh twenty dollars and fifty cents, being the amount of tax assessed in 1863 and the cost of collecting the same, being under consideration,

Mr. Snow of Ward Eleven inquired if it had been in the hands of the Committee on the Assessors' Department.

Mr. Gray of Ward Twelve replied that it had not been before that committee that he was aware of, and he moved that it be referred to the committee.

The order was referred to the Committee on the Assessors' Department.

The resolve and order for widening of Boylston street, on motion of Mr. Lucas of Ward Seven was referred to the Committee on Streets on the part of the Common Council.

The following orders were read twice and passed:

Order authorizing the repair of Eastern Avenue Wharf, at an estimated cost of $3500.

Order to enlarge hose tower, fit up bathing room, and repair Engine House No. 13, at an estimated cost of $4000.

The order for a Joint Committee to receive and entertain the Homœopathic Convention about to be held in this city, and appropriating $2500 therefor, was taken up.

Mr. Wadsworth of Ward Four said he saw no reason for passing the order. The Anniversary Week was close upon us, and we should soon have here innumerable conventions. There was no good reason why this should be singled out for the entertainment of the city, while all others are left out in the cold. It would be but a wedge into the strong box of the City Treasury. We were to have Conventions of Dentists, Oculists and Allopathic doctors; conventions of Clergy, quite as worthy and much more needy; conventions of Unitarians, Universalists, Calvinists, Baptists, Presbyterians, Methodists, Catholics and the Lord knows not what. All of these should be entertained or none, for he could not see how this one convention should be singled out, while fifteen or twenty as worthy should be neglected.

In addition to all these, there were to be conventions of Charitable Societies and Benevolent Societies, as numerous as were the gatherings in Palestine, when the Parthians and Medes, and Elamites, and the dwellers in Mesopotamia, and other numerous peoples, were together.

He therefore moved to lay the order on the table.

Mr. Snow of Ward Eleven stated that in June, 1865, a Convention of Allopathic Physicians were entertained by the city at an expense of $6200. It was but fair that this convention should be entertained, and the expense would not be so great.

The motion to lay the order on the table was lost.

Mr. Judson of Ward Fourteen said he was much gratified at the remarks of the gentleman from Ward Four, who had anticipated much of what he was about to say. He could not see any reason why there should be such an expenditure; and there appeared to be no end to the money which was expended for such purposes. If this expenditure should be incurred now, it will lead hereafter to the entertainment of others, and there would be no bounds to the throwing away of the public money. He hoped the Council would feel at liberty to vote against it.

Mr. Snow of Ward Eleven said there was some thing in the argument of consistency of the gentleman, yet he trusted as the City Government had entertained one class of physicians, they would treat with hospitality another class, although he had no special sympathy for them.

Mr. Wadsworth hoped they would meet with hospitality; he hoped that the citizens would give them a hearty reception, and give a hearty reception to all others who came here, and open their houses to them. But he was utterly opposed to opening the City Treasury to one convention and shutting it to another.

Mr. Ingalls of Ward Twelve said he agreed to the general statement of the gentleman from Ward Four, but as was said by the gentleman from Ward Eleven, the city having shown its hospitality to one convention of physicians, it was but just that similar hospitalities should be tendered in this case. He was opposed to any invidious distinctions, while he had no special regard to this class of physicians. He would concur in providing this entertainment, and when the time came he would vote against this class of appropriations.

Mr. Jenks of Ward Three inquired if this was a national convention.

Mr. Ingalls replied that he understood it was.

Mr. Wadsworth said he could not see the distinction which was made by the gentleman from Ward Twelve. Because one error was made, there was no reason for making another, for two errors could not make one right.

Mr. Jenks repeated his question, and stated that if this was to be a National Convention, he would vote for the order.

Mr. Ingalls said he had so stated, and he understood that distinguished persons of the profession from all parts of the United States would be present. At a proper time he was ready to stop a bad practice, but this was not such a time.

Mr. Jenks expressed the belief that the entertainment should be given if it was a National Convention. If it had been but a State Convention, he should have been opposed to it.

On motion of Mr. Jenks, the rules were suspended, and the order was read a second time and passed.

Messrs. Hall of Ward One, Ingalls of Ward Twelve, and Wilkins of Ward Nine, were joined to the Committee under the order.

The Order to allow the Commanders of the Posts of the Grand Army of the Republic, numbers 7, 15, 23, 26, and 32, one hundred dollars each, to be expended for decorating the graves of Union soldiers, on the 29th May, 1869, was read twice, under suspension of the rules, and passed.

SECOND ASSISTANT ASSESSOR.

The election of one Second Assistant Assessor for Ward Ten, was taken up for consideration.

Mr. Hopkins of Ward Ten moved to lay the matter on the table.

At the request of Mr. Gay of Ward Ten, the motion was withdrawn, when Mr. Gay gave some reasons in favor of retaining Mr. Hunting in the office, and stated that as an Assessor for two or three years, including last year, he held over, on account of a failure to elect, and was now serving in that office. He renewed the motion to lay the subject on the table.

Mr. Keith of Ward Fifteen remarked upon the unfairness of the practice of moving to lay a subject on the table, to cut off debate, and the motion being again withdrawn, he made some statements in advocacy of the election of Mr. Pope. The question of a choice of candidates originally he thought to be of little consequence, but the Board of Aldermen having taken the candidate of the Council for Ward Twelve, it was no more than fair that the Council should concur with the Board in the election of Mr. Pope. Whatever the qualifications of Mr. Hunting were, those of Mr. Pope were fully equal. In support of these qualifications he read from the remarks of Alderman Baldwin.

Mr. Wells of Ward Three wished to correct the gentleman. George W. Pope was the person to whom the remarks of the Alderman referred, and not Frederick G. Pope, the brother, who worked for George W. Pope, the builder and architect.

Mr. Hopkins made a similar statement in regard to the error fallen into by the member of the other Board. The antecedents of Mr. Hunting, he said, were as well known as were those of Mr. Pope. The choice of second assistant assessor had always been conceded to the members of the several wards for which they were elected, and he hoped the subject would be laid on the table.

A motion to lay on the table was carried by a vote of 29 to 16.

Mr. Butler of Ward Ten moved a reconsideration of the vote, and he hoped it would not prevail.

Mr. Snow of Ward Eleven suggested that if it was the design to get rid of the subject, it would be better to take it up and move its indefinite postponement.

Mr. Wadsworth hoped there would be an opportunity some time to vote on the subject.

Mr. Osborn of Ward Six raised a question of order, that the question was not debatable.

The point of order was sustained, and the motion to reconsider was lost—11 to 23.

The resolve and order for the extension of Vernon street, from Cabot street to Tremont street, was taken up, as unfinished business, and passed.

THE MUSICAL PEACE FESTIVAL.

On motion of Mr. Wilkins of Ward Nine, the order authorizing the Committee on the Musical Peace Festival to tender the hospitalities of the city to distinguished persons invited by them to attend said Peace Festival, was taken from the table.

Mr. Jenks of Ward Three, moved to strike from the order the words "National Peace," and in support of the motion said there was no national peace, and the name was but a fraud, not only upon the city but the common sense of this body. There were ten States in the South which were in a worse condition than ever Poland was under the tyranny of Russia, or Ireland was under England. The term was a misnomer, a wrong upon the residents of ten States and upon the tax payers of this city. If it was really a peace festival, he was willing to vote for a reasonable sum of money, should it be limited to that sum.

Mr. Pickering of Ward Fourteen said he took it that the gentleman from Ward Three would not be opposed to "national peace" if he could get it. The object of the festival was to bring together people from all parts of the country, of all the States. They should be brought into cordial sympathy with each other, and made so to harmonize as to bring about peace. The object was to make peace national, if it was not already so.

The motion to strike out was lost.

Mr. Keith of Ward Fifteen inquired if there had been any estimate of the expense, or whether there was to be no limitation.

Mr. Pickering replied that it was absolutely impossible to form an estimate of the expense which would be necessarily incurred. Although the invitations were restricted to as narrow a limit as possible, it was not possible to tell how much it will cost or to frame an estimate. This will depend in some measure upon the number who will attend, who may be invited, and to the extent to which the City Council may engage in it. If the members generally take part in it, a larger appropriation will be necessary, as in the case of the entertainment of the Chinese Embassy. He thought it better not to specify the amount, but leave the Committee to keep it within moderate bounds.

Mr. Wells of Ward Three referred to the Chinese reception, in which, after the first reception, the City Council had little to do with it, the carriages being generally filled with outsiders. He hoped the committee in this case wont forget the City Government.

Mr. Pickering stated that on several occasions, while the Chinese were here, they were under the control of private parties, when their movements were out of the power of the committee. On all occasions of a public nature, the City Government did participate in the entertainments and paid for it largely.

Mr. Nelson of Ward Nine said it was understood the invitations would be confined to the President of the United States and his Cabinet, Foreign Ministers, Governors of States, Mayors of the principal cities of the country, and Judges of the Supreme Court, only a portion of whom would be in attendance.

Mr. Judson of Ward Fourteen said that such an occasion had never occurred before. It was desirable that the people of all portions of the South should be induced to come here, learn better about us, and be convinced that we are a generous, hospitable, kind people. He was satisfied that no sum was fixed, and trusted that the order would receive a unanimous vote. It would be an occasion of credit to Boston, one long to be remembered.

Mr. Wells of Ward Three hoped that the whole Council would be added to the Committee.

Mr. Jenks referred to the complimentary remarks relative to the generosity of the people of Massachusetts and of Boston. He remembered when a regiment of soldiers who had been engaged in the cause of the country came home dirty and ragged, that the city would do nothing for their comfort. He would like to see some of the liberality of Massachusetts. That liberality had never been exhibited except from a selfish motive. Massachusetts had no national reputation for liberality, and had been noted only for her assistance to the enemies of the country during war.

Mr. Pickering said he did not rise to defend Massachusetts, for she needed no defence, and it would take all night to recount the praises which might be said of her.

Mr. Wells moved that the whole Council be added to the committee.

Mr. Keith raised the question of order, whether the question was germane to the subject.

The chair ruled it to be in order, and the motion was lost by a vote of 8 to 23.

Mr. Jenks moved an indefinite postponement of the subject.

Mr. Keith said he found himself in a strait in regard to this order. He was in favor of the idea of a national peace festival, and the gentleman who originated this matter was entitled to much credit for his plans. The first steps of the City Government were in the right direction; and it was thought the most fitting place for the Festival was on the Boston Common. Some men, very sensitive, saw fit to consult the City Solicitor whether the City Government had a right to grant the use of the Common. The Solicitor replied they had, and the Board of Aldermen also thought so. There arose an opposition on the pretence of an excessive regard for the poor. These persons did not like to have the poor boys deprived of their rights to play on the Common. He undertook to say that these men wished to keep the Common as a sort of private park. They succeeded in driving the Committee from the Common—a place known to all persons throughout the country, easily accessible and comfortable, and where two or three hundred thousand of the poor of Boston and its vicinity could have heard the music without charge while standing in the shade of the trees. Now they will have to go down to a spot where there will be a burning sand and pools of water, and where there can be little enjoyment. If they had succeeded in putting it on the Common it might have been a festival worthy of the occasion; like that great event two thousand years ago, when the angels sang of peace on earth and good will to men.

If he could have had his way he would have forborne the celebration of the Fourth of July, in order to have increased the success of the grand festival.

Mr. Keith went on to speak of the circumstance that the Mayor had not been placed at the head of the committee.

Mr. Nelson of Ward Nine stated that the Mayor was nominated for the head of that committee and declined the position.

Mr. Keith resumed, remarking that if such was the fact it gave it a different appearance. Yet he believed that if placed on the committee at an earlier day he could hardly have declined accepting the position as Mayor of the city. He also spoke of the enterprise as controlled by private individuals.

Mr. Pickering of Ward Fifteen said he wished to correct a wrong impression in relation to this Committee and its connection with the Festival. The Festival was managed by a committee of citizens, and this committee had no control over it, and all that was designed by the measure was to entertain the distinguished persons who might be invited to be present.

Mr. Ingalls of Ward Twelve did not believe in the Festival, but looked upon it as a humbug. In his view it was much like an international circus, or other show. Men of means had got this matter up as a private enterprise, and when the President of the United States, or the Governor of any State, comes here, it will be time for the city to make a provision for their entertainment.

Mr. Wadsworth could not agree with the gentleman from Ward Fifteen as to the location of the Coliseum, nor with the gentleman from Ward Twelve as to his love of music, but would refer the last named to Shakspeare, who said those who have "no music in their souls are fit only for treason, strategem and spoils." The gentleman from Ward Three, who spoke so disparagingly of Massachusetts, he would advise to read the speech of Mr. Webster to Mr. Hayne.

Mr. Jenks said he had read both speeches, and thought Mr. Hayne had the best of the argument.

Mr. Keith further remarked in relation to the building for the Festival.

Mr. Wells stated that pretty much all the vacant lots in the vicinity of this building had been taken up for eating houses and liquor shops.

Mr. Flynn of Ward Seven moved the previous question, which was carried.

The yeas and nays were ordered on the motion to indefinitely postpone, and the motion was lost, 6 to 42. The yeas were—Conant, Crowley, Daniels, Ingalls, Jenks, Richards.

Mr. Jacobs of Ward Five said he wished to correct the statement that the Mayor had declined the appointment of Chairman of the Committee.

Mr. Nelson of Ward Nine stated that he was present in the Board of Aldermen when it was proposed to make the Mayor the Chairman of the committee. This the Mayor declined, and it was stated that he would be invited by the committee to act as its Chairman.

Mr. Flynn raised the question that debate was out of order under the previous question.

The chair ruled that the previous question related to the question of indefinite postponement, and had expired with the disposal of that motion.

Mr. Rich of Ward Fourteen expressed surprise at the nature of the order, unlimited in extent, which might allow the Committees to invite all their relations, and their relations relations, to the ends of the earth, and pay their expenses to the Festival. He believed there should have been some limit fixed, and it could be done. Should it prove that the appropriation is not enough, it will be easy to make up the amount required, the Council meeting from week to week. Under the circumstances, he moved to add a proviso at the end of the order, that the sum shall not exceed the amount of $25,000.

Mr. Jenks of Ward Three moved that the order be recommitted to the Committee for the purpose of approximating something near the expense.

Mr. Judson of Ward Fourteen did not believe it possible to ascertain the amount of expense, and hoped all amendments would be rejected.

Mr. Jacobs of Ward Five stated that the order was in the usual form when the amount of expense could not be estimated. A similar order had been adopted in the case of the Chinese Embassy. The city was morally pledged in favor of the measure.

Mr. Ingalls inquired how the city was morally pledged.

Mr. Jacobs replied that it was pledged by the appointment of a committee and the passage of orders on the subject.

Mr. Ingalls questioned the character of the pledge. He had watched this thing from the first, and he objected to the matter from the principle of the thing. The appointment of a committee in the first place was for the purpose of ascertaining what it was necessary for the city to do. He, however, did not believe it possible to estimate the expense. He would give the Committee all they asked, holding them to a strict accountability for their expenditures.

Mr. Jenks withdrew the motion to recommit, when the motion of Mr. Rich was lost, and the question was taken on the second reading of the order. The vote was 36 yeas, 9 nays, as follows:

Yeas—Batchelder, Braman, A. F. Cole, M. J. Cole, Conant, Doherty, Flanders, Flynn, Frost, Gay, Gray, Hall, Hobbs, Hopkins, Jacobs, Johnston, Judson, Kingsbury, Learnard, Lucas, Mullaue, Nelson, Noyes, Osborn, Pickering, Poor, Pote, Ryan, Snow, Talbot, Tucker, Vannevar, Wadsworth, Wilkins, Woods, Woolley.

Nays—Butler, Crowley, Daniels, Davis, Ingalls Jenks, Rich, Richards, Wells.

Under a suspension of the rules, the order was read a second time and passed.

On motion of Mr. Hopkins of Ward Ten, an order that the Committee on Public Buildings consider and report what portion of the lot purchased on Appleton street for a primary schoolhouse should be added to the Rice Schoolhouse yard, and whether any changes are required in the location of the outbuildings connected with said schoolhouse, was referred to the Committee on Public Buildings.

On motion of Mr. Flynn of Ward Seven, an order directing the Committee on Ordinances to consider and report upon amending section twelve of the ordinance adopted in 1867, relative to the nomination of assistant assessors, so as to provide that they shall be nominated by a committee of one from each ward, was referred to the Committee on the Assessors' Department.

Mr. Batchelder of Ward Four offered an order for the appointment of a joint special committee to furnish music on the Common, at East Boston, South Boston and the Highlands, once a week during the summer months, the expense not to exceed $2500. Read once.

On motion of Mr. Wadsworth of Ward Four the Water Board were authorized to report in print.

Mr. Keith of Ward Fifteen moved to take from the table the non-concurrence in the Council reference of the order for the payment of the Commissioners on the proposed annexation of Dorchester. Carried.

Mr. Jacobs of Ward Five could not see the necessity for the reference of the matter to any committee, and hoped the order would be passed in concurrence. Ordinarily these commissions were honorary offices, but the Roxbury Commissioners had been paid, thus establishing the rule of the City Government in such matters.

Mr. Keith agreed with Mr. Jacobs that there was no necessity for the reference of the matter to the Committee on Claims. The Council were now aware of all the facts in the case. A precedent had been established in the payment of the Commissioners on the annexation of Roxbury. The Chairman of the Commission was a well known member of the last Council, whose eminent fitness for the place would be universally acknowleged.

Mr. Judson of Ward Fourteen said he was opposed to the payment of so large an amount for so little service as was performed by the Commissioners.

Mr. Jacobs said he understood that the Commissioners were engaged in the matter for about three months. In reply to Mr. Batchelder of Ward Four he said he supposed the chairman did do most of the work, but it would be impossible to discriminate in the payment for their services.

A motion to adjourn was lost.

The motion to recede was carried, the Council refused to adjourn, and the order was passed.

An ordinance to establish the office of Assistant City Clerk was taken from the table and passed.

A petition was presented from Granville Perry, for removal of restrictions on land in Tremont street. Referred to Committee on Public Lands.

REPORT OF A COMMITTEE.

Mr. Woolley of Ward One, from the Joint Standing Committee on Public Institutions, to whom was referred as a part of the unfinished business of last year, the report and plans in relation to a new hospital for the insane, having carefully considered the subject, made a report that they do not deem it expedient to adopt the plans for the erection of a building on the site heretofore selected in Winthrop, until an effort has been made to select in another locality which would give more general satisfaction. The committee therefore respectfully recommend the passage of the accompanying order:

Ordered, That the Committee on Public Institutions be requested to take such steps as they deem necessary to ascertain whether a more eligible location can be obtained than the one heretofore appropriated in Winthrop, in which to erect a new hospital for the insane.

The order was read once.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## MAY 10, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Police Officer—George Emerson, 2d, to be Sergeant of Police.

Police Officers, without pay—Eugene McCarthy, for duty at the Olympic Theatre during the billiard tournament; Frank Phinney, Waldo McLellan, P. G. Williams, for duty at the Boston & Albany Railroad station; Merrill Savage, for duty at the railroad crossing at Parker street.

PETITIONS PRESENTED AND REFERRED.

Willard Phillips, for an apportionment of High street betterment into three parts.

E. S. Johnson, for the acceptance and grade of East Lenox street.

Eliza Shea, to be paid for leasehold damages on account of the widening of Federal street.

R. C. Nichols and others, for the extension of Zeigler street to Washington street.

Charles Nowell and others, for acceptance of portions of St. James avenue and Boylston street beyond Clarendon street.

D. G. Haskins and others, that Maywood street be accepted.

Abram Prince, A. D. Hodges, Wm. A. Hill and others, for the widening and straightening of St. James street, Boston Highlands.

Severally referred to Committee on Streets.

Joseph Houghton and others, for a sewer in Cabot street, from Culvert street to Washington street.

Joseph Leonard and others, that the Cedar street sewer may be extended between Highland and Hawthorn streets.

Martin Fay and others, for a sewer in Bainbridge street.

Severally referred to the Committee on Sewers.

J. H. Chadwick and others, that the unpaved streets of this city be watered at the public expense.

George W. Decatur, for leave to sprinkle streets in Ward Fourteen.

Severally referred to the Committee on Health.

Joseph H. Whittemore and others, that South street, between Kneeland and Beach streets, be paved with granite blocks.

Metropolitan Railroad Co., for location of track on Harrison avenue, beyond Dover street.

S. C. Bixby and 59 others, that Shawmut avenue, between Guild row and West Roxbury, be called Washington street.

Severally referred to the Committee on Paving.

W. A. Kenrick, to be paid for labor performed on draw of Dover Street Bridge in 1866. Referred to Committee on Claims.

Charles L. Fraser and others, for a fire alarm bell on church at the corner of London and Meridian streets. Referred to Committee on Fire Alarms.

NOTICES OF INTENTION TO BUILD.

Edwin Greeley, Saratoga street, between Brooks and Putnam streets; Asa Lewis, corner of East Springfield and Washington streets; Adam Amrheing, 7 Parkman street; George Hargrave, corner of Brooks and Monmouth streets; A. L. Flanders, corner of Emerson and L streets; B. Perry, 697 Tremont street; John Noonan, 405 Chelsea street; Ivory Bean, corner of Union park, Tremont and Montgomery streets; John R. Hall, Kingston and Bedford streets; McDonald & Lawton, 8 Monmouth street; Alden Frink, corner of Highland avenue and Centre street; Thomas Sullivan, 53 Silver street; Ivory Bean, corner of Boylston and Clarendon streets; H. G. Lunt, Walnut avenue, between Munroe and Bowers streets; C. H. Blodgett, 16 Guild row; G. G. Elder & Son, rear of 329 Tremont street; Standish & Woodbury, Bromfield House estate.

Severally referred to the Committee on Streets.

CONDITION OF THE FRANKLIN FUND.

The following statement was received from the Treasurer of the Franklin Fund:

| | |
|---|---|
| Amount as per account, Jan. 7, 1868..... | $125,365 53 |
| Interest accrued during the year..... | 8,127 83 |
| Amount of fund Jan 1, 1869..... | $133,493 36 |
| This amount is invested as follows: | |
| Deposited with Mass. Hospital Life Insurance Company..... | 132,225 16 |
| Provident Institution for Savings..... | 605 53 |
| Suffolk Savings Bank..... | 606 69 |
| Bond of F. Hinds..... | 56 00 |
| | $133,493 36 |

REPORT OF THE CITY REGISTRAR.

The annual report of the City Registrar was presented for the year 1868.

*Births*—The number of births in Boston (including the late city of Roxbury) in 1868 was 7102. Males, 3590; females, 3512—an increase of 265 over the number of the preceding year. The increase in the old portion of the city was only 63, and in the Highlands 202, showing a gain in that section of 2.14 per cent., while in the former it was but a little more than 1 per cent. The population of the city is estimated at 240,000, giving a birth-rate of 1 to every 33.79 persons. While this is lower than in any European nation, it is larger than in the last 15 or 18 years. The number of still-births not included in the above was 482. In 1851 the birth-rate was one to every 26 persons living.

In a comparison with other cities, it is shown that the birth rate in New York is one to 87.37 and in Philadelphia one to 46.35. It is however believed there are inaccuracies in the returns of those cities, even under the formidable machinery of the Metropolitan Board of Health of the first named.

The births in each quarter are shown as follows: 1st, 1659; 2d, 1667; 3d, 1864; 4th, 1912. The number and per centage of the several Wards were as follows: Ward One, 748, 10.53 per cent.; Two, 908, 12.78 per cent.; Three, 406, 5.72 do.; Four, 215, 3.03 do.; Five, 489, 6.89 do.; Six, 267, 3.76 do.; Seven, 1100, 15.49 do.; Eight, 283, 3.99 do.; Nine, 310, 4.36 do.; Ten, 403, 5.67 do.; Eleven, 276, 3.88 do.; Twelve, 551, 7.76 do.; Thirteen, 318, 4.48 do.; Fourteen, 275, 3.87 do.; Fifteen, 553, 7.79 do. There was an increase of 263 births in Wards 1, 4, 7, 8, 10 and 12, and a decrease of 200 in the remaining six Wards of Boston, compared with the preceding year. The greatest increase was in Wards 1 and 12, this number being 75 and 70.

The number of children whose parents were both born in the United States, including half of those who were recorded as unknown, is 1818—25.95 per cent.; in 1867 the per centage of the whole number was 24.11. Those whose parents were both foreign born, including half of those recorded as unknown, number 4233—54.60 per cent.; in 1867 the per cent. was 61.37. The number of children whose fathers were foreign born is 4766—67.10 per cent. of the whole number of children born. The number in which one or both parents were foreign born is 5224—73.55 per cent. The number of native born fathers is 2301—32.41 per cent. Native born mothers, 2391—33.69 per cent. The number of children of unmixed Irish parentage is 2768—38.97 per cent., or 2½ per cent. less than the preceding year. There were 83 colored births, 36 males, 47 females—and there were 53 marriages and 90 deaths of this class. There was one child of Indian parents. There was one case of triplets, both American parents, and 62 twin births—16 of American parents, and 29 in which both parents were Irish.

*Marriages.* There were 3138 marriages in Boston in 1868, including those that occurred in the Highland district. There were 2897 marriages in Boston in 1867, and 259 in Roxbury, which shows a decrease of 18 in the aggregate number of both places in 1868. The number of marriages are in the ratio of 1 to every 76.48 of an estimated population of 240,000. The ratio in the whole State is 1 to every 43.82, which contrasts unfavorably for Boston. The official report of New York gives the marriages there as in the ratio of 1 to 158.82; that of Philadelphia, 1 to 125.56. These figures, of course, are very far from being correct, and only serve to show the faulty method of returns in operation in those places.

The number and percentage of the marriages in each quarter were as follows: 1st quarter, 734, 23.39 per cent.; 2d quarter, 773, 24.63 per cent.; 3d quarter, 710, 22.62 do,; 4th quarter, 921, 29.35 do.

There were fewer marriages in March, as usual than in any other month, the number being only 143. The next lowest number was in August, when 217 entered into the marriage relation. The highest number was in November, when it reached to 350.

The number of certificates issued during the year was 3578—440 more than the number of marriages recorded. Some of these certificates have been used out of the State, some in other towns in the State, and some been undoubtedly used in the city but have not been returned by the officiating clergymen. A few of these last will, perhaps, after the lapse of a longer or shorter period, be sent to this office to be recorded, but too late to be entered on the duplicate returns made to the Secretary of State. These last delinquents can hardly be ignorant of the requirements of the law; yet they show this most supreme disregard of them, and an utter obliviousness of what may have to be of vital interest of the parties married by them.

The number of native-born grooms was 1554, 49.55 per cent of the whole number, the same as the preceding year. The Irish element made 28.80 per cent. The German population was represented by 103 marriages. The number of native-born brides was 1588, or 50.60 per cent; of Irish, 968, 30.84 per cent. The Irish grooms exceeded those of native born to Massachusetts. There were 56 males under 21 years of age, three of 17 years. Of the brides, 64 were under 18 years; 14 of 16 years. The number of colored couples was 53, 18 less than in 1867. There were two couples of deaf mutes married.

*Deaths.* The number of deaths in Boston (including the Highland District) during the year 1868 was 5519—males 2861; females, 2658. The number of deaths in Boston in 1867 was 4421; in Roxbury 605, showing an increase of 493 compared with the preceding year. The increase in Boston was 388; in Roxbury 105; an increase in the former place of 8.77 per cent.; in the latter 17.35 per cent. The proportion of the deaths in the two places is one to 43.48 of the estimated population of 240,000.

The following statement of the deaths in Boston, New York and Philadelphia will show the mortality in the first named place compared with that of the last two. The reports of the deaths in New York and Philadelphia are not liable to the same objections that exist against the returns of births and marriages. As every interment requires a permit for removal, the mortality in each place is undoubtedly correctly stated:

In Boston, 1 death to 43.48; New York, 1 to 44.19; Philadelphia, 1 to 59.74.

New York has long borne the unenviable reputation of being little less than a plague spot. Those who have been accustomed so to regard it, will be somewhat surprised to learn that notwithstanding its filth, and the free-and-easy way in which public matters are conducted, its bill of mortality has a more agreeable appearance than that of Boston, while Philadelphia outstrips both in an extraordinary degree.

The number and percentage of deaths in each quarter was as follows. 1st, 1341, or 24.30 per cent.; 2d, 1203, 21.80 per cent.; 3d, 1736, 31.45 per cent.; 4th, 1239, 22.45 per cent. Of the whole number of deaths, 1589, or 28.79 per cent., were foreign born, and there was an increase of 5 per cent. of those born in Ireland. Of the deaths, but 1700 were of native parentage, or 30.80 per cent.—a decrease from the preceding year. Those of Irish parentage make 48.79 per cent., and 70.51 of all of foreign parentage. Tables given show that while 67.59 per cent. of the children have foreign-born fathers, 69.19 per cent. of the mortality is among those of the same parentage. Of the 32.41 per cent. of the children who had native fathers, only 30.80 per cent. of the deaths occur among that class.

The deaths under one year show 25.40 per cent. of the whole number. In Philadelphia the per centage was 28.80; in this State, exclusive of Boston, the per centage was 20. In the preceding year the per centage under one year in Boston was 22.94. There were 774 deaths under six months, 516 being of foreign parentage. Of the remaining 553, under one year, 399 were of foreign parentage. The number of deaths between one and five years, was 1061; five and ten, 269; ten and fifteen, 96; twenty and thirty, 547; thirty and forty, 491; forty and fifty, 422; fifty and sixty, 338, sixty and seventy, 315; seventy and ninety, 388—131 males, 233 females; above ninety, 15 males, 9 females. One man died at 102; one woman at 109 years. Deaths of colored persons, 90—a decrease of 18 from 1867.

The number of interments in the city was 326; city proper, 109; South Boston, 112; East Boston, 95. There were 120 disinterments and removals and 52 bodies were brought here from other places and deposited in tombs and cemeteries in the city.

Of the deaths, there were from accidents 192; apoplexy, 80; brain diseases, 268; bronchitis, 150; cancer, 85; cholera, 2; cholera infantum, 488; consumption, 868—420 males, 448 females; convulsions, 142; croup, 127; diarrhœa and dysentery, 214; diphtheria, 67; typhoid fever, 120; heart disease, 172; hydrocephalus, 129; intemperance, 32; lung diseases, 86; marasmus, 111; measles, 68; old age, 130; paralysis, 85; pneumonia, 358; premature birth, 83; puerperal disease, 66; scarlatina, 266; suicide, 18; small pox, 8; unknown diseases, 112.

No less than 13.51 per cent. of the mortality occurred in Ward Two, and 12.93 per cent. in Ward Seven. The deaths in Wards One, Two, Seven and Twelve make 42.67 per cent. of all the deaths; the deaths in Wards Four, Six, Eight, Ten, Eleven, Thirteen and Fourteen make only 26.49 of the whole. The deaths in the hospitals were 6.90 per cent. of the whole number, less than the preceding year.

Some remarks were made in relation to the neglect of clergymen and physicians in making returns of births, marriages and deaths, and the marriage law is appended for the information of clergymen and others.

The report was ordered to be printed.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the several orders of notice on the proposed extension of the Gates street sewer, and the laying out and acceptance of Ward street, between Dorchester and Preble streets, were taken up. No person appearing in either case, the reports were recommitted.

The hearing on the petition of John Quinn, for leave to erect a stable on Broadway, between K and L streets, for more than four horses, was taken up, when a remonstrance was presented from Solomon S. Gray and others against the same. The report was recommitted.

The order of notice on petition of Joseph Coolidge for leave to place a steam engine and boiler in his building at the corner of Charles and Cambridge streets, was taken up, by assignment.

Remonstrances were presented from the managers of the Eye and Ear Infirmary, E. H. Derby and others and Otis Clapp and others, which were read.

Mr. Derby, on reading his remonstrance, objected to a re-hearing of the petition for the reason that the case had recently been adjudicated on its merits, and it would be unjust to require the parties to go into another hearing on the same state of facts. The statements of the petitioner as contained in the petition he contended were not warranted by the facts in the case.

T. K. Lothrop, in behalf of the Eye and Ear Infirmary, remarked upon the objectionable character of having a steam engine in the immediate vicinity of that institution, in its effect upon the patients. He objected also for the same reasons given by Mr. Derby, to a second hearing, when there had been no change in the condition or circumstances of the case. It was true, he admitted, that there was once a small engine on the premises, but this was when there was no ordinance against the erection of such engines, and no control could be had over them.

Linus Child, for the petitioner, said he took issue with Mr. Derby in relation to the statements which he had made. Mr. Coolidge, for whom he appeared, was not a party to the former application, which was made by the tenants of the building. On the hearing in that case, the tenants having no interest in the estate were asked if they were willing to agree to certain restrictions, and having no authority to agree to them, the committee reported against this application. Mr. Coolidge now appears as the owner of the building, and on his assurance he was satisfied it could be shown that the facts were not as stated by Mr. Derby. If an opportunity was afforded, either before the

Board or before the Committee, he was sure that he could convince them of the correctness of the statements of the petitioner.

Mr. Derby replied that the case was fully presented at the former hearing before the Committee, and every opportunity was given to present all the facts connected with it. Not only the parties applying at that time, but the owner, was represented at the hearing.

On motion of Alderman Hawes, the report and remonstrances were recommitted to the Committee.

A notice was received from the Metropolitan Railroad Company accepting the location on Berkeley street.

UNFINISHED BUSINESS.

The order for the purchase of land on East street, and for the erection thereon of a house for Engine No. 7, and for a Hose Carriage; and to provide a loan of $30,000 for that purpose, was considered.

Alderman Richards, in explanation, stated that Engine No. 7 was now located in Purchase street, the building being old and unsuited to the purpose. The city now owns a lot of land on East street, and a lot adjoining can be purchased which will make a much more suitable location. The lot on Purchase street can be sold at a higher price for business purposes, and is worth considerably more, than the lot it is proposed to occupy. The proposed change of location has the approval of the Chief Engineer of the Fire Department.

The order was read a second time and passed.

COMMON COUNCIL PAPERS.

The petition of G. Perry for removal of restrictions on land in Tremont street was refered to the Committee on Streets, in concurrence.

The order to refund certain taxes to Bridget Kavanagh was referred to Joint Committee on Assessors' Department, in concurrence.

The order for Cochituate Water Board to report in print was adopted, in concurrence.

The order suggesting a change in the mode of nominating Assistant Assessors was referred to Committee on Ordinances, in concurrence.

The order of inquiry as to the amount of land on Appleton street which will require to be added to Rice Schoolhouse yard, &c., coming up, for reference to Committee on Public Buildings,

Alderman Talbot inquired why it was necessary to enlarge the schoolhouse yard of the Rice School before the house was finished, when it was formerly said the lot was ample, and he wished to know whether this order came from the Committee on Public Buildings.

Alderman Richards said he knew nothing of the matter; a lot of land had been purchased adjoining for a primary school, and it appeared that some one had put in an order for an inquiry whether any portion of it could be added to the Rice Schoolhouse yard to better advantage than to remain as a part of the premises of the primary school.

Alderman Talbot said it would appear that the addition of the land would necessitate the loss of all the labor on the yard of the Rice School.

Alderman Richards repeated that the project was new to him, but the Committee on Public Buildings would not take any action unless warranted.

The Board then concurred in the reference.

The ordinance to provide for appointment of an Assistant City Clerk was passed in concurrence.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses to two news boys, and one boy to sell shoe lacings. Accepted.

Alderman White also reported licenses to sundry persons as victuallers and keepers of billiard saloons; also a license to E. C. Moore for Stone & Murray's Circus, and to Timothy Hussey to give an entertainment at 119 Haverhill street. Severally accepted.

The same committee made a report revoking the license of Charles M. Harriman, to keep an intelligence office at 89 Court street. Accepted.

Alderman James, from the Committee on Paving, reported that leave be granted to Harriet M. Miles to cut down a tree in front of No. 34 Forest street; and to J. Watson Taylor to cut down a tree at No. 27 Forest street. Severally accepted.

Alderman James reported no action necessary on the petition of Geo. S. Hillard and others, for the paving of Avon street, near Tremont street, with Nicolson pavement; and leave to withdraw, severally, on petitions of Jeremiah Donovan, for leave to construct a cellar doorway at No. 170 Sixth street; on petition of J. L. Hunnewell, for the grading of Eutaw place, the same not being a public way; of Francis E. Faxon, for the paving of Coolidge avenue, for the same reason. Severally accepted.

The same committee reported no further action necessary on the petitions for the repair of Bradford street, the Board having acted upon the matter.

Alderman Richards, from the Committee on the Fire Department, reported leave to withdraw on the petition of Wm. H. Hill, against the erection of wooden buildings No. 5 North Russell street, the Committee having visited the premises, and were of the unanimous opinion that they were constructed within the limits of the law. Accepted.

Alderman Seaver, from the Committee on the Market, reported in favor of the transfer of lease of stalls Nos. 65, 67 Faneuil Hall Market. Accepted.

Alderman Talbot, from the Committee on Streets reported no action necessary on sundry notices of intentions to build. Severally accepted.

Alderman Talbot also reported leave to withdraw on petition of Nathan Matthews, for a discontinuance of streets south of Providence and Boston & Albany Railroads; of M. T. Durrell and others for revising of High street betterments; and of Geo. F. Parkman and others for the opening of Fruit street west of Charles street, or its discontinuance; and no further action necessary on the recommitted order in relation to the widening of West street. Severally accepted.

Alderman Talbot also reported leave to withdraw on the petition of William L. Burt, Postmaster, for a further widening of Devonshire street.

Alderman Richards opposed the acceptance of the report, believing that the petition ought to be granted. The improvements contemplated in the streets about the Post Office will make them the most important business streets in the city. The Government had offered to give foot for foot in the widening of Devonshire street from Water to Milk street, and it ought not to be objected to cutting off the corner which made so irregular a line. He did not know how much the cost of the proposed widening would be, yet he was sure that the building necessary to be cut off would require renovation to fit it for the class of business for which it would be occupied. With such renovation as would be required, it would rent for three times as much as it does now. It would not be difficult in the renovation to straighten the line. If it were owned by any other person in the city than its present one, it would be sure to be done.

Alderman James was of the opinion that the widening should be accomplished. For the purpose of giving further time for the consideration of the subject, he moved to lay the report on the table for one week. Carried.

Alderman James, from the Committee on Public Lands, reported leave to withdraw on petition of John Sharland, for modification of the conditions of the sale of a lot of land 629 Tremont street. Accepted.

Alderman Fairbanks, from the Committee on Sewers, reported leave to withdraw on petition of John Trainer and others, for the construction of a sewer in Sixth street, from Federal street to Foundry street. Accepted.

Alderman James, from the Committee on Paving, on the petition of Cushman & Brooks and others, for a restoration of the name of Temple place and for a hearing in support of the same, made a report, that during the last few years they have given to many of these petitioners several hearings on this subject, and being of the opinion that no new arguments can be presented of sufficient importance to effect the judgment of this Board, they respectfully recommend that the petitioners have leave to withdraw. Read and accepted.

Alderman James, from the Committee on Paving, to whom was referred the petition of James H. Wilder and others, that the name of Court street, between Sudbury street and Bowdoin square, be changed to Cambridge street, and the remonstrance of Job A. Turner and others against the proposed change, made a report that it is in-

expedient at the present time to change the name of said street. Read and accepted.

Alderman James, from the Committee on Public Lands, to whom was referred the petition of John Mack, that the time for building upon lot numbered 3, East Concord street, may be extended one year from May 1, 1869, made a report, recommending the passage of the following order:

Ordered, That the time for building upon lot numbered 3, East Concord street, be extended to May 1, 1870, upon condition that there is paid to the Superintendent of Public Lands the sum of $100 within two days from the passage of this order.

The report was accepted and the order was passed.

Alderman James, from the same Committee, on the petition of Solomon S. Gray, reported the following order, which was passed:

Ordered, That his Honor the Mayor be and he is hereby authorized to execute an instrument made satisfactory to the City Solicitor, removing the condition for time of building upon two lots of land on Broadway and M streets, as purchased of the city by Solomon S. Gray, upon his paying to the Superintendent of Public Lands the sum of $500, within two days from the passage of this order.

ROXBURY LATIN SCHOOL.

Alderman White, from the Joint Standing Committee on Public Instruction, to whom was referred the petition of the trustees of the Roxbury Latin School, for an appropriation from the city treasury in aid of said school, made a report as follows:

The school was established in 1645, under the name of the "Free School in Roxbury," and is supported by the income of a fund derived chiefly from the lease of lands bequeathed to it in 1671 by Thomas Bell of London. A complete statement of the invested fund is given in a communication from the Treasurer, appended hereto.

For several years past, owing to the rapid growth of the school, the income has been insufficient to meet the expenses, and an annual appropriation was made by the City Council of Roxbury to cover the deficit. The appropriation of $3000 now asked for by the trustees is mainly for extraordinary expenses.

The present salaries of three teachers amount to $5500; the other annual expenses amount to about $700; and the income falls short of this about $1200. The appropriation asked for is to cover the deficiency, make repairs on the schoolhouse, furnish books of reference and apparatus, and increase the salaries in order to retain valuable teachers.

At the expiration of some of the present leases, the income will be sufficient to make the school entirely self-sustaining. It is free to pupils from any section of the city; and in the words of the Trustees, "while it relieves the Boston Latin School, already crowded, it saves the city annually not less than $5000 or $6000, by educating between sixty and seventy-five boys."

In order to remove any legal objections to an appropriation by the city, in aid of a school not controlled by the School Committee, the Legislature has recently passed an act a copy of which is appended, authorizing the city to appropriate, from time to time, such sums of money for its maintenance, not exceeding $3000 in any single year, as they may deem expedient.

The committee have made a personal examination of the school and are satisfied that any appropriation made from the City Treasury would be judiciously expended by the trustees, and that the maintenance of the school at its present high standard should be insured by the aid and encouragement of the City Government.

They therefore recommend the passage of the following order:

Ordered, That there be allowed and paid to the Trustees of the Roxbury Latin School the sum of $3000, to be expended in such manner as they shall deem expedient, for the maintenance of said school; provided that said Trustees shall make the annual report mentioned in the act of the Legislature concerning said school, approved April 13, 1869, said sum to be transferred for that purpose from the Reserved Fund.

Alderman White asked for the reading of the order a second time.

Alderman Talbot objected to further action at this time. He had heard that the value of the property, which would accrue, for the support of this school, when the leases expired, would ultimately amount to $1,000,000, and he doubted the policy of the appropriation of money for a school not under the control of the city. He wished time to consider the matter.

Alderman White stated that the school was a great benefit to Boston, pupils from all sections of the city having a right to attend it, (the number of pupils now being 60,) and it saved a large expenditure which would be necessary should the pupils of that section of the city be required to attend the Latin school in this city.

Alderman Talbot said the question was whether any appropriation should be made by the city to outside schools. Should aid be afforded in this case, somebody else will make a call next week, and there will be no telling where it will end.

Alderman White withdrew his motion for a second reading.

ORDERS OF NOTICE.

On the proposed construction of a sewer in Ward street. Hearing Monday next, 4 P. M.

On the proposed rebuilding of a sewer in Warren avenue, between Berkeley and Clarendon streets. Hearing Monday next, 4 P. M.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the Board establish the grade of Berkeley street, as shown on a plan and profile made by the City Surveyor, dated May 6, 1869, approved by the Committee on Paving and deposited in the office of the City Surveyor.

Ordered, That the Superintendent of Streets be directed to cause all obstructions to be removed from Dartmouth street, between Columbus avenue and the bridge over the railroad tracks.

Ordered, That the Board establish the revised grade of Eagle street, between Putnam and Chelsea streets, as shown on a plan and profile of said Eagle street, made by the City Surveyor, dated May 6, 1869, approved by the Committee on Paving and deposited in the office of the City Surveyor.

Ordered, That the Superintendent of Streets be authorized to set the edgestones, pave the gutters, and gravel the roadway of Pinckney street, west of Charles street; also to build up the sea wall and erect an iron fence at the foot of the street, at an expense of $500.

Ordered, That the City Treasurer be and he is hereby directed to abate the sum of $5 70 from the bill of Wm. E. Hicks for edgestones on Shawmut avenue; also $22 40 from the bill of Howard S. Williams for sidewalks on Zeigler street, the same having been assessed in error.

Ordered, That the Chief of Police be directed to notify the owner of estate No. 10 Eaton street to re-cover the coal-hole in front of his premises, in default of which the Superintendent of Streets is directed to close up the same at the expense of the owner.

Ordered, That authority be given to the Committee on Public Lands to sell the lands belonging to the city on Harrison avenue, Albany, Dover and Bristol streets, upon such terms and conditions as in their judgment they shall deem for the best interests of the city.

On motion of Alderman Talbot,

Ordered, That there be paid to the heirs of Samuel Jepson $7000, and James Richardson, lessee, $500, for land taken and damages occasioned by the widening of Tremont street, under resolves approved June 6 and August 14, 1868, to be charged to the Tremont street loan.

Ordered, That there be paid to Wm. W. Tucker and others, trustees under the will of Wm. Lawrence $15,120 for land taken and damages occasioned by the widening of Devonshire street, under resolve of April 11, 1868, to be charged to the Devonshire street loan

Ordered, That there be paid to Wm. H. Hongwill and James McMahon the sum of $6035 60 for land taken and damages occasioned by the extension of Vernon street, under resolve of May 7, 1869, to be charged to the appropriation for laying out and widening streets.

Ordered, That there be paid to Samuel A. Way $15,022 for land taken and damages occasioned by the extension of Broadway, under resolve of May 3, 1869, to be charged to the appropriation for the extension of Broadway.

Ordered, That the order passed February 8, 1869, apportioning the betterment of $396 50 assessed upon the estate of Charles G. Putnam on the heirs

of F. W. P. Greenwood, No. 6 Temple place, into three equal parts, he and the same is hereby rescinded, the said Putnam having since elected to pay the said betterment.

Ordered, That the betterments heretofore assessed upon Frederick H. Bradlee for the widening of Temple place be apportioned into three parts, as per schedule.

On motion of Alderman Richards,

Ordered, That the Committee on the Fire Department be and they are hereby authorized to contract with the Amoskeag Manufacturing Company for a second-class steam fire engine and hose carriage, at an expense not exceeding $5000, the same to be charged to the appropriation for Fire Department.

Ordered, That the Chief Engineer of the Fire Department be and he is hereby authorized to purchase, under the direction of the Committee on Fire Department, one pair of horses, for Hook and Ladder Company No. 4, for a sum not exceeding $850, the same to be charged to the appropriation for the Fire Department.

On motion of Alderman Fairbanks,

Ordered, That the sum of $32 30 be abated as an assessment for a sewer on Wareham street on J. W. Coburn, and that the same be assessed on True Brown.

Ordered, That the Superintendent of Sewers be authorized to construct a sewer in Eighth and Old Harbor streets, and report a schedule of the expense of the same to this Board.

Ordered, That the Superintendent of Streets be authorized to construct a sewer in Ninth street, between Lark and E street, and report a schedule of the expense to this Board.

On motion of Alderman White,

Ordered, That the City Treasurer be and he is hereby instructed, until otherwise ordered, to pay to discharged employés, in anticipation of the monthly pay rolls, such amounts as may be due them from the city for services rendered to date of discharge, upon orders from the superintendents of the several departments under which they were employed.

Ordered, That the Superintendent of Health be and he is hereby instructed to deliver on Boston Common one hundred loads of ashes, more or less, the same to be charged to Roger Drury, at fifty cents per load for such ashes so delivered.

On motion of Alderman Pratt,

Ordered, That from and after the 1st January, 1869, until otherwise ordered, there be allowed and paid to the District Attorney for the county of Suffolk the sum of $400 per annum, for rent of office, said sum to be charged to the appropriation for county of Suffolk.

On motion of Alderman Seaver,

Ordered, That the Committee on Bridges be authorized to expend a sum not exceeding $500 for repairing the piers of the Meridian street bridge, the said sum to be charged to the appropriation for bridges.

On motion of Alderman James,

Orders were adopted directing the Chief of Police to notify the owners and abutters on Decatur street, between Border and Bremen streets, to furnish edgestones for sidewalks and to lay sidewalks with brick; also, to notify owners and abutters on Havre street, between Maverick and Meridian streets, to furnish new edgestones and lay sidewalks with brick; also, to notify the owners and abutters on Chelsea street, between Porter and Prescott streets, the owners and abutters on Commonwealth avenue, between Berkeley and Clarendon streets, and on Beacon street, between Dartmouth street and the Brookline line, to furnish edgestones and lay sidewalks with brick; also, to notify the owners and abutters on London street, between Maverick and Decatur streets, to furnish new edgestones and to lay sidewalks with brick.

Ordered, That the annual report of the Auditor be made in print, and that 4000 copies of the same be printed, 3000 to remain in the Auditor's office, and 1000 copies to be placed in the various police stations for distribution, and that public advertisements be given in the newspapers that copies may be had at the station-houses, and Auditor's office, City Hall.

On motion of Alderman White, an order was passed for the abatement of nuisances in Napier Street place, Grape place, and in Washington square.

An order was offered that the Committee on Ordinances be directed to provide for the employment of an errand boy at the office of the City Solicitor, at such a compensation as may be reasonable, to be charged to the appropriation for salaries.

Alderman Richards suggested that much of the duties for an errand boy grew out of matters relating to the Church Street District, perhaps an arrangement might be made that would save the necessity of employing such a messenger.

On motion of Alderman Richards the order was laid on the table.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## MAY 13 1869.

The regular weekly meeting of the Common Council was held this evening at 8 o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN

The petitions of W. A. Kenrick to be paid for labor performed on the draw of Dover street bridge, and of Charles L. Frazer and others for a fire alarm bell on the church at the corner of London and Meridian streets, were referred in concurrence.

The report leave to withdraw on the petition of J. Sharland for modifications of conditions of sale of estate 629 Tremont street, was accepted, in concurrence.

The report and order authorizing release of conditions for time of building on two lots of land on Broadway and M streets, bought of the city by S. S. Gray, upon his paying five hundred dollars within thirty days from the passage of the order, were taken up, and the order was passed in concurrence.

The report and order authorizing extension of time for building on lot No. 3 East Concord street, to May 1, 1870, on the payment of one hundred dollars within ten days from the passage of the order, were considered, and the order was passed in concurrence.

The following orders were severally passed, in concurrence:

Order to pay discharged employés, in anticipation of monthly pay-rolls, such amounts as may be due them by the city to date of discharge.

Order that the annual report of the auditor of Accounts be submitted in print, and that 4000 copies be printed; 3000 retained at the City Hall, and the remainder placed in the Police Stations for distribution; and that advertisement be made that said reports are so placed.

Order authorizing the sale of land belonging to the city on Harrison avenue, Albany, Dover and Bristol streets, at public auction.

The orders authorizing purchase of land on East street for the erection thereon of a building for an Engine and Hose Company, at an expense not exceeding $30,000, and for a loan of $30,000 to be appropriated therefor, were read once.

Mr. Tucker of Ward Six moved a suspension of the rules for their passage at this time.

Mr. Wadsworth of Ward Four inquired what necessity there was for immediate action.

Mr. Tucker replied that one week's time would be so much help in the matter, and it was desirable to forward the work so as to make sure that the building would be covered in before next winter.

The rules were suspended, and the orders being on their passage,

Mr. Snow of Ward Eleven said this was the first time he had heard of this matter. He wished to know something of the necessity for this building, the locality, the plans, and other details for the structure, and whether the matter had been under consideration of the Committee on Fire Department. If it had not been before that committee, he should be in favor of having it so referred now, but would not make the motion at present.

Mr. Tucker replied that the subject had been under consideration before the Committee on Public Buildings and the Committee on Fire Department, both of whom were in favor of it. The present building was entirely unfit for the purpose, and the land could be sold at a great advance.

The orders were passed, yeas 53, nays 1—Ingalls of Ward Twelve.

UNFINISHED BUSINESS.

The order for Committee on Institutions to ascertain whether a more eligible location can be obtained whereon to erect a new Hospital for the Insane than the one in Winthrop was read a second time and passed.

The order for a joint committee to make arrangements for furnishing music on the Common, at East and South Boston and the Highlands, was considered.

Mr. Gay of Ward Ten moved to add Franklin square to the places where music shall be furnished, and that the appropriation be increased from $2500 to $3000.

Mr. Batchelder of Ward Four opposed the motion, for if adopted, there would be equal reason to add Louisburg square, Maverick square, and other places.

Mr. Gay replied that the people of that vicinity were a great way from the Common, and that last year music was provided there at the expense of the residents. The motion was lost—15 to 26.

Mr. Rich of Ward Fourteen stated that the provision was for $2500, for concerts once or twice each week, and he moved to strike out the number of times, leaving it discretionary with the Committee who may be appointed. The motion was rejected, and the order was passed.

The President subsequently appointed as the Committee under the order, Messrs. Batchelder of Ward Four, Pote of Ward One, and Rogers of Ward Fifteen.

COMMUNICATIONS FROM VARIOUS DEPARTMENTS.

A communication was received from the School Committee requesting the erection of a new primary schoolhouse on a lot between Tremont street and Shawmut avenue.

Referred to Committee on Public Instruction.

A communication was received from the City and County Treasurer, with a statement of the county accounts for the past year.

Referred to the Committee on the Treasury Department.

The Auditor's Monthly Exhibit, dated May 7, was presented, making an exhibit of the general and special appropriations for the present financial year of 1869-70, as shown by the books of his office May 1, 1869, including the May draft, being the first month's payment of the financial year, exhibiting the original appropriations, the amount expended, and the balances of each unexpended at that date.

A recapitulation of the appropriations and expenditures gave the following result:

| Appropriations, Revenues, etc. | | Expended. | Unexpended. |
|---|---|---|---|
| General | $8,710,498 55 | $294,094 50 | $8,416,404 05 |
| Special.. | 2,553,571 77 | 29,565 18 | 2,524,006 59 |
| | $11,264,070 32 | $323,659 68 | $10,940,410 64 |

The document, numbered 47, City Documents, was ordered to be sent up.

REPORTS OF COMMITTEES.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, who were directed to consider and report on the expediency of adding a portion of the land recently purchased for a primary schoolhouse site on Appleton street to the Rice Schoolhouse yard, having carefully considered the subject, reported a recommendation that a strip of land twenty-five feet wide, extending from Appleton street to a passage way on the easterly side of the Rice Schoolhouse, be added to the yard of that house, and that the location of the outbuildings be changed. They therefore recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to take from the lot recently purchased for a Primary Schoolhouse site on Appleton street a strip of land twenty-five feet wide, extending from Appleton street to the passage way on the easterly side of the Rice Schoolhouse, and add the same to the yard of the said schoolhouse; and to change the location of the out-buildings—the expense thereof to be charged to the appropriation for Grammar Schoolhouse, Ward Nine.

Mr. Keith said he wished merely to make a single statement in relation to this matter. The lot for the Rice Schoolhouse was purchased first. The lot for the Primary Schoolhouse is the largest, while the accommodations were for but half the number of pupils that belonged to the Rice school, the number accommodated in the Grammar Schoolhouse being 850, to some 400 in the Primary Schoolhouse.

On motion of Mr. Hopkins of Ward Ten, the rules were suspended, when the order was read a second time and passed.

Mr. Richards of Ward Eight, from the Committee on Streets of the Common Council, to whom was referred the order of the Board of Aldermen of May 3, to widen Boylston street by taking 240 square feet of land of Warren Sherburne, at an expense of $4250, made a report that in their judgment the order ought to pass.

The order was read a second time and passed.

Mr. Keith of Ward Fifteen offered the following order:

Ordered, That the Committee on Public Buildings be authorized to erect an iron fence on that part of the Lewis Schoolhouse lot abutting on Dale and Sherman streets, at an estimated cost of $3000, to be charged to the appropriation for Grammar Schools, Public Buildings.

In explanation of the order, Mr. Keith stated that the schoolhouse was erected last year, and no provision was made for fencing the lot. Occupying a position on the corner of two streets, it was desirable that a fence should be erected at once.

*Petition.* A petition was presented from Eliza A. Sanford, owner of estates No. 35 and 37 Middlesex street, asking for compensation for damages for alteration in sewers. Referred to Committee on Claims.

ORDERS.

Mr. Nelson of Ward Nine offered the following order, which was passed:

Ordered, That the Committee on Ordinances be directed to inquire if any further action is necessary to regulate the passage of teams, wagons, or other vehicles in the public streets of this city, and report an ordinance if deemed advisable.

On motion of Mr. Hall of Ward One, the President of the Common Council was added to the Committee of the City Government on the entertainment of members of the Homœopathic Convention to meet in this city on the 8th of June.

Mr. Frost of Ward Nine offered an order that the Committee on State Aid be authorized to expend $1000 as temporary aid to such disabled soldiers and sailors as are in necessitous circumstances, whose cases are not covered by the acts of the Legislature under which State aid is afforded to soldiers and sailors.

Mr. Wadsworth of Ward Four hoped the order would not be passed without reference to some committee, and moved its reference to the committee on State Aid.

Mr. Frost stated that by the terms of the order, carefully framed for that purpose, it would go to the Committee on State Aid. There were some cases in which aid was much needed, where the parties were very deserving. The order was so worded that it would go directly to that committee, and if they see fit they may give this aid. If any gentleman had any doubts on the subject, he could show them cases which would open their pockets if they did not authorize this aid to be given from the city treasury.

Mr. Wadsworth said it was usual to refer such orders to a committee before passing them, and not afterwards. If passed first, the committee will feel themselves directed to give aid, without being under any responsibility for their action. It was best that action should be taken on the order by the committee, before paying away money. This method of doing business was a back-handed way which he did not approve of. He hoped the order would first go to the Committee on State Aid.

Mr. Frost said he knew this was an unusual way of passing such orders, but he pressed the matter because there were certain parties who must have relief. He knew of one instance in which a man was far gone in consumption, and may be in his grave before a committee can report upon this subject and authority be given to them afterwards to afford relief. This was the quickest way of meeting such cases. Not a dollar was asked which was not appropriated for the purpose, and this could do no injury to any one.

Mr. Jenks of Ward Three said the whole matter could be disposed of with perfect ease by a petition to the Legislature. All of such cases in his district had been so disposed of, and an allowance had been obtained. The Commonwealth was where the aid should come from.

Mr. Wadsworth said that the committee could report at the next meeting, which would be but one week. The poor we have with us always, and if we relieve all such cases without authority, or a report of a committee to the judiciousness of such action, we shall have our hands full. He was willing to vote for it if the committee reported in favor of it, but if action should now be taken he should go against it.

Mr. Keith of Ward Fifteen said the committee could only do what the Legislature confers the power to do, and they had no right to expend money which could not be refunded by the State. It was therefore proper that the order should go to the Committee on State Aid that it might make inquiries as to the legality of such action.

The motion to refer to the Committee on State Aid was carried.

On motion of Mr. Ingalls of Ward Twelve, the order for the Mayor to petition the General Court of 1870 for authority to purchase or take lands for a Public Park in the vicinity of Chestnut Hill Reservoir; and that the Water Board be requested to bond lots that may be offered on reasonable terms, was taken from the table. Mr. Ingalls said he did not ask to take this order from the table because he was in favor of it, for he was not. He was opposed to purchasing parks outside the city limits, and thought there had been enough expended for the driveway around the reservoir, and he was opposed to any expenditures of this kind for a public park. Next year would be soon enough to act upon it, and the City Government of 1870 could petition the Legislature if it deemed advisable.

Mr. Wadsworth of Ward Four agreed with the gentleman, for he did not believe it was necessary to purchase land for the protection of the reservoir, and was opposed to expending any more for the driveway or a public park in the vicinity of the reservoir.

Mr. Keith of Ward Fifteen thought it unwise to purchase lots outside of the city limits for the purpose of laying out a public park. It was understood that these lots had already been taken up by parties on speculation, and there was no occasion for the laying out of large sums of money for the adornment of parks in other towns. The bill for the annexation of Dorchester had been passed triumphantly today in one branch of the Legislature, and he did not doubt that it would pass as overwhelmingly in the other branch. Neither was there much doubt that the act would be accepted by the people of Boston and Dorchester. In that town there were hundreds of acres of land which could be purchased for a small sum, and it would cost but a moderate price for adorning it. It would be much more suitable to expend the money for a public park within the limits of the city, instead of laying out one for the benefit of Brookline and Brighton. If we go to Brighton, it will be fifty years, perhaps, before annexation will bring that territory to the city. It would be the height of folly to purchase land for a public park outside of the limits of the city.

The order was rejected.

On motion of Mr. Richards of Ward Eight, the orders to take the estates of Hannah Bradford, Isaac Packard, and J. G. Russell, for the purpose of widening Matthews street, the same having been surrendered to the city, were taken from the table, when they were read a second time and passed.

Mr. Snow of Ward Eleven said he wished to inquire of the Committee on the Celebration of the Fourth of July, whether it was designed to celebrate the day on Saturday or on Monday?

Mr. Butler of Ward Ten replied that the Chairman of the Committee had said this celebration would be on Monday. The Committee had not taken any vote on the matter, but he judged it would be on Monday.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## MAY 17 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at four o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

*Weigher of Coal*—Wm. H. Calrow, Jr.

*Special Police Officers Without Pay*—Andrew Merrill, for duty on Foster's wharf, Alfred Parker, for duty at Boston & Albany Railroad wharf.

PETITIONS PRESENTED AND REFERRED.

George Hinman and others, that edgestones be reset in Winthrop street, East Boston.

Margaret Briody, that the city would raise her house to the grade of Cabot street in front of her estate, in lieu of paying damages therefor.

W. H. Banks and others, for sidewalks in Eutaw street, between Meridian and Brooks streets.

J. E. Hartshorn, that Day street may be put in order, as prayed for in his petition filed in 1868.

James Deluce and others, that Fourth street, from K to M streets, be paved.

Nash, Spaulding & Co. and others, for leave to lay four inch iron pipe under Broad street from their store, 241 Broad street, to Arch wharf, to convey molasses from an iron vessel in which it is imported in bulk, to tanks in the basement of said store.

Severally referred to the Committee on Paving.

Wm. R. Gray and others, against the proposed widening of St. James street.

J. B. Moors, for abatement of assessment for widening Congress and High streets.

J. H. Hunneman and others, against the proposed widening of St. James street.

Tremont Improvement Company, for extension of Sterling street to Washington street.

Severally referred to the Committee on Streets.

O. Loring, for leave to erect a booth on the Charles street mall, near Boylston street, from June 1 to July 5.

H. W. Fernald, for leave to erect a booth on Tremont street mall near Boylston street, from June 1 to July 5.

Severally referred to the Committee on the Common.

Jesse L. Nason, for appointment as an auctioneer in this city. Referred to Committee on Licenses.

Massachussetts Charitable Mechanics' Association, for leave to construct a temporary building in South Market street, in aid of their exhibition. Referred to Committee on the Market.

Sundry teachers in the Washington Village School and in the Norcross School, that the streets around said schoolhouses be watered. Referred to Committee on Public Buildings.

Julia Fernald, to be allowed a portion of the expense attending the last illness of her late husband, Mark Fernald, Lieutenant of Police. Referred to Committee on Police.

Lewis E. Cotton, against the erection of a wooden projection in the rear of No. 697 Tremont street. Referred to Committee on Public Lands.

Heirs of Mary Tileston, for a sewer in Purchase street, from Congress street to Summer street. Referred to the Committee on Sewers.

Gas lamp-lighters, for increase of wages. Referred to Committee on Lamps.

Bay State Brick Co., for leave to build a stable for more than four horses on Stanhope street. Referred to the Committee on Health.

A remonstrance was presented by Alderman Baldwin, from George H. Nichols and others, residents of Chester park, from Washington street to Harrison avenue, against the change of the name of that portion of the street to East Chester park. A hearing was ordered on the remonstrance for Monday next, at 4 o'clock.

NOTICES OF INTENTION TO BUILD.

T. K. Daunt, D street, between First and Second streets; Nathaniel Adams, Nos. 4 and 5 Bowker street; Brown & Leavitt, 257 Beacon street; John McBarren, 374 Shawmut avenue; Thomas Sprague corner of Federal and Purchase streets; John A. Ryan, 5 South Margin street; George Wirth, Camden street, between Washington street and Shawmut avenue; J. O'Sullivan, Smith street; Samuel Small, Lexington street, between Marion and Meridian streets; Torreys & Co., 78 Beverly street; G. T.W. Braman, River street; C. G. Bird, Jr., corner of Albany and Hampden streets; J. F. & D. J. Haines & Co., Monmouth street, between Meridian and Marion streets; M. Munroe, 58 Eliot street; Thomas Crosby, corner of E and Ninth streets; Danielson & Johnson, corner of Fruit and Charles streets; Dean & Pyne, Dudley street, between Vine street and Grove Hall avenue; Geo. E. Shackley, 247 Broadway; A. H. Glover, cor. Castle street and Village place; A. Frink, corner of Pelham and Washington streets; Thomas Scott, Milford place; Russell Scott, Harrison avenue near Eustis street; C. Tilden, Jr., Warren place; R. S. Wade, corner of Shawmut avenue and Dedham street; L. Weissbein, corner of Centre and Gardner streets. Severally referred to the Committee on Streets.

AUDITOR'S REPORT ON LEASES BY THE CITY.

A communication was received from the Auditor, in compliance with Section 15 of the Ordinance on Finance, with a statement of the leases of the property owned by the city as they existed May 1, 1869:

| | |
|---|---|
| Lot corner of Water and Washington streets, lease expires Sept. 1, 1871 | $1,000 |
| Greenhouse, Public Garden, Oct. 1, 1870 | 1,200 |
| Two houses on Hamilton street, tenants at will | 776 |
| House on Bridge street, April 1, 1870 | 400 |
| Market houses, as per Schedule of Superintendent | 83,071 |
| Under jurisdiction of Public Buildings | 34.411 |
| Public Lands | 3,695 |
| Total | $124,553 |

The schedule relating to the Market Houses gives the following results:

| | |
|---|---|
| Stalls and cellars under Quincy Hall | $62,706 |
| " " " " Faneuil Hall | 17,970 |
| Outside stands | 1,995 |
| Public scales | 400 |
| | $83,071 |

These leases all expire June 30, 1870.

The leases under direction of the Public Land Department are as follows:

| | |
|---|---|
| Part of wharf, Albany street, lease to July, 1871 | $1,000 |
| Swett's wharf, lease to May 1, 1872 | 700 |
| Lot, Dedham street, no lease | 400 |
| Lot, Albany street, no lease | 150 |
| Lot, House of Correction | 150 |
| Lot, East Chester park | 120 |
| Lot, Fourth street, South Boston | 50 |
| | $2,570 |

The property leased by the Committee on Public Buildings is as follows:

| | |
|---|---|
| Old State House, leased for ten years, from July 1, 1866, Thompson & Co., and others | $21,000 |
| Quincy Hall, Massachusetts Charitable Mechanics Association | 7,000 |
| Bridge estate, S. D. Bates | 500 |
| David Block, store on Court street | 600 |
| Eastern avenue wharf and dock, Directors of Public Institutions, to Jan. 1, 1871 | 3,000 |
| Stable on Peoples' Ferry wharf | 600 |
| Dwelling-house, Dudley street | 1,000 |
| Dwelling-house, Washington street, Highlands | 1,000 |
| Several other tenements, no leases, amounting in all to | 836 |
| | $34,411 |

Ordered to be printed.

REPORT OF BOARD OF OVERSEERS OF THE POOR.

OFFICE OF OVERSEERS OF THE POOR,
CENTRAL RELIEF BUILDING,
CORNER OF CHARDON AND HAWKINS STREETS,
May 17, 1869.

The Board of Overseers of the Poor respectfully submit to the City Government their Annual Report.

The details are embraced in the tabular statements respectively of the Treasurer and Secretary. The aggregate results do not differ materially from those of the last year. The expenditures have been somewhat larger, while at the same time there has been an increase in the amount of the Trust Funds which the Board hold as a corporation.

The routine office business has been about the same as usual, and we believe that the system and methods of the Board have proved satisfactory to our citizens, and meet the claims of that class of the poor who legitimately look to the city for relief. In reviewing the transactions of the year, an allusion should be made to the consummation of the plan for some time contemplated, the erection of an independent building for the use of the Overseers of the Poor, and for the accommodation of the various associations of charity which relieve by material aid and sympathy the suffering of the less favored classes of our community.

The Central Relief Building and the Temporary Home, for which liberal appropriations were made by the City Government, were finished and occupied early in the present year.

The plan of the centralization of the charitable agencies of the city was prominently brought before the Municipal Government in 1857, by the Provident Association, in a memorial written by the President, Hon. Robert C. Winthrop. Upon the reorganization of the Board of Overseers of the Poor in 1864, with the same gentleman as its chairman, the subject in various ways was called to the public attention, and finally a lot of land was purchased upon which the necessary buildings have been erected. The plan suggested is so ably set forth in the memorial, that we have deemed it well to affix an extract from it to our report, as an appendix, in order that our citizens may have full information as to the design and objects of the Charity Bureau. The experience of a few months gives ample assurance that the objects contemplated are to meet with a gratifying success, and that we soon shall have a more perfect system of public charity than any other large city in the world. The legal responsibilities to the poor are met by the Board of Overseers, but it is well known that the largest class of the virtuous and needy in a great metropolis are not the native or settlement poor, but are those for whom the law makes but slight provision except in the crowded State almshouses. To tear these people from their homes, from the associations of kindred and friends, to send them away from us to a public institution, impairs their feelings of self-respect and pauperizes them, and is not an act of humanity, nor does it promote the public weal; and hence the usefulness of other organizations in addition to those at the public charge, who will minister in a limited manner to those necessities into which they occasionally fall. Several of these organizations are already in the building, coöperating with us and with each other in benevolent work,

The Provident Association, the Industrial Aid Society, the Boston Ladies' Sewing Circle, the Ladies' Relief Agency, a branch of the Boston Dispensary, the Committees who have the charge of the distribution of the Massachusetts and the Boston Soldiers' Funds, and one of the military Posts, are now in active operation in the building, and other similar bodies are contemplating having their central offices here also.

The almoners of the different charitable societies thus become acquainted with each other, their books of registration are easily consulted, imposters are detected and exposed, and the wasteful expenditure of money given by the affluent for benevolent purposes is checked and put in its proper channel. The use of the rooms occupied by these different societies is free of rent, but they will be subject to a charge for heating, gas and janitor's service. As the building was not intended exclusively for the city, it was thought advisable when the project was started, to ask the charitably disposed of our citizens to contribute towards its erection, and a fund was raised for the purpose.

By an order of the City Council, the office of the City Physician was removed from the City Hall to our new building. This officer, with his assistants, are accommodated with two rooms in the basement, a convenient location for the multitude of the poor who resort to them for gratuitous vaccination and medical advice.

In connection with the Central Relief Building or Charity Bureau, an edifice was erected for the Temporary Home, and the Institution was removed in January from Charles street to its new quarters. With the additional accommodations thus placed within the control of the Board, it is believed that the peculiar wants of that class for which the institution was designed, will be fully met.

The board are aware of the great care and prudence which the management of the Home will require in its enlarged quarters. Its existence is a necessity, as an act of humanity to the deserving and helpless. But a portion of its benefactions are liable to abuse, and great solicitude is felt that it may not degenerate into an asylum for the improvident and thriftless, and thus increase an evil which it is designed to cure. The institution is at this time particularly fortunate in being in charge of a matron who seems specially adapted for the position. Miss Conyers has had a large experience in her duties, and combines great force of character with a tender regard for the unfortunate ones committed to her care. She is ably supported by her assistants, and we commend the experiment of this institution in its new home under favorable auspices, and trust that its influence will be only for good.

There are some changes which we regret, but which experience has proved will be necessary in the building, particularly in the heating arrangements; but as the subject has already been called to the attention of the City Government, this brief allusion is all that is required at the present time. The institution is under the direction of a subcommittee of the board. A brief report from the matron is herewith submitted:

"During the year ending April 30, 1869, there were admitted to the Home 1243 persons. Of this number 186 were Americans, 696 foreigners, and 361 children. Number of adoptions, 13; lost children restored, 48; 35 nurses furnished situations; 164 persons found employment; 12,513 single meals furnished; 40 adults sent to Tewksbury; 16 children under 12 years, 37 under 1 year, sent to the same institution; 98 persons sent to their friends; 380 provided for themselves; 2 births; 4 deaths."

The Board of Overseers would express their obligation to the City Government for the liberal mears which have been placed at their disposal in the erection and furnishing of the new buildings, and for the care and custody of the same, which has been placed in their hands. It will be their endeavor to administer this branch of the public service with that regard to economy which, while relieving all cases of honest poverty which come within their appropriate sphere, at the same time will not be an oppressive burden on our citizens. They sympathize with those friends of social science who are investigating the causes and the remedies of that tendency to pauperism and crime which is alleged to be one of the results of modern civilization. It is not their special province to participate in the discussion of the problem, but they trust in the discharge of their duties they will place no obstacle in the way of its solution.

By an ancient statute of England, it was a penal offence "to give alms to a beggar able to work." The appalling increase of pauperism in that kingdom, growing in a measure out of its modern poor laws, shows the wisdom of the old statute, and is a warning to us in this country to so manage this branch of political economy that it will not tend to the same results.

Respectfully submitted by

F. W. LINCOLN, JR.,

Chairman of the Overseers of the Poor in the city of Boston.

The report of the Overseers for the year ending April 30, 1869, exhibits the following results:

*Receipts.*

| | |
|---|---|
| Cash on hand, May 1, 1868 | $5,021 30 |
| Drafts on City Treasurer | 58,000 00 |
| Cash from cities and towns | 6,787 52 |
| " from State for relief of sick State paupers | 9,682 45 |
| " from State for burial of State paupers | 2,796 00 |
| " from State from old Roxbury bills | 287 27 |
| " from State for board of State paupers at Mass. Infant Asylum | 676 14 |
| Total | $83,450 68 |

*Expenditures:*

| | |
|---|---|
| Am't paid for burials | $2,677 11 |
| " " cities and towns for relief of Boston poor | 3,317 44 |
| " " expenses City Temporary Home | 10,361 79 |
| " " pensions and grants at office | 13,592 00 |
| " " immediate relief of persons having no settlement | 629 42 |
| " " for coal | 7,652 71 |
| " " for groceries | 15,205 70 |
| " " salary of Secretary | 2,000 00 |
| " " " book-keeper | 1,500 00 |
| " " " clerks | 574 99 |
| " " " visitors | 3,600 00 |
| " " office expenses | 345 96 |
| " " transportation of visitors | 78 65 |
| " " salaries of engineer and janitor | 496 87 |
| " " acc't of sundry places to be refunded | 124 37 |
| Total expenditures | $62,157 01 |
| Cash received from State and cities and towns | 17,177 19 |
| Total | $79,334 20 |
| Cash balance | 4,116 48 |

Number and description of persons aided during the year ending April 30, 1869: Settlements in Boston by taxes, 546; by service in army or navy, 266—total 812 cases; 95 city cases aided elsewhere and paid for by Boston, making 907; aid refunded for 253 settlements in other cities and towns; 626 sick State charges, amount refunded by State; 78 non-settlement cases temporarily aided; 44 relief cases on account of service in army or navy. Making a total of 1908, with an average of three persons to each family, or 5724 persons in all. A condensed statement shows a total expenditure of $62,157 01; charged to cities and towns, $7454 27; to State, $13,373 25; making a total charge elsewhere of $20,827 52, and leaving the actual cost to the city of $41,329 49.

The reports were laid on the table, and ordered to be printed.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the several orders of notice, on the proposed rebuilding of a sewer on Warren avenue, between Berkeley and Clarendon streets; on the construction of a sewer in Ward street; on the proposed widening of Harrison avenue, notice to S. & A. R. Whittier; on the laying out of Clarendon street, between Appleton street and Columbus avenue; were taken up. No person appearing in either case, the reports were recommitted.

The hearing on the proposed assessment of betterments for the widening of Hanover street, was taken up.

Geo. Wm. Phillips appeared for Mr. Bancroft, lessee of an estate at the corner of Hanover and Union streets. Mr. Phillips stated that Mr. Bancroft has a lease for a term of years, conditional upon a return of the property in as good a condition as he received it. The proposed widening would take a large portion of the land, and placed the lessee in a difficult position in which he could not extricate himself except by a liberal allowance for damages.

Alderman Talbot stated that parties had the remedy under the betterment law of surrendering their property to the city. The city could not help Mr. Bancroft in any good or bad trade which he may have made with the owner of the property.

The report was recommitted.

UNFINISHED BUSINESS.

Ordered, That the Superintendent of Streets be authorized to repave a portion of Meridian street and the street adjacent to Central square, also to lay suitable cross walks at various points on said Meridian street, at an estimated cost of $4000.

Ordered, That the Superintendent of Streets be authorized to grade Newman street, from Dorchester street to Lowland street, at an estimated cost of $10,000.

Ordered, That the Superintendent of Streets be authorized to pave Wareham street, from Harrison avenue to Albany street, and a portion of Malden street, at an estimated cost of $10,000.

Ordered, That the Superintendent of Streets in the execution of the order passed by the Board of Aldermen, July, 1868, for the paving of Richmond street from Hanover street to Salem street, be directed to substitute wooden pavement in place of the small granite blocks provided for in said order.

Ordered, That the Superintendent of Streets be authorized to repave Cross street, between North and Hanover streets, at an estimated cost of $2000.

Ordered, That the Superintendent of Streets be authorized to pave School street and Chapman place with wooden pavement, at an estimated cost of $9500.

Ordered, That a special Committee, consisting of three on the part of this Board with such as the Common Council may join, be appointed to make arrangements for the annual excursion of the City Council in Boston harbor; the expense attending the same to be charged to the appropriation for incidentals.

Aldermen Baldwin, Seaver and Fairbanks were appointed on said Committee.

Ordered, That the Superintendent of Streets be authorized to remove the stone pavement from Webster avenue and repave said avenue with bricks, at an estimated cost of $800.

Ordered, That the Superintendent of Streets be authorized to pave Tremont street, between Winter and Avon streets, with wooden pavement, at an estimated cost of $4000.

The following order was considered, as appended to the report of the Committee on Public Instruction, made at the last meeting of the Board:

Ordered, That there be allowed and paid to the Trustees of the Roxbury Latin School the sum of $3000, to be expended in such manner as they shall deem expedient, for the maintenance of said school; provided that said Trustees shall make the annual report mentioned in the act of the Legislature concerning said school, approved April 13, 1869, said sum to be transferred for that purpose from the Reserved Fund.

The question was taken, and the order was refused its passage by the following vote:

Yeas—Bradlee, Hawes, James, Pratt, Rice, White.

Nays—Baldwin, Fairbanks, Richards, Seaver, Talbot, Van Nostrand.

PAPERS FROM THE COMMON COUNCIL.

The petition of Eliza A. Sanford, for compensation for alteration of sewers, was referred, in concurrence.

The order proposing to furnish aid to certain disabled soldiers and sailors who have no legal claims thereto, was referred, in concurrence.

The Auditor's Monthly Exhibit was ordered to be placed on file.

The request of School Committee for a Grammar Schoolhouse site in Ward Fourteen, near Ruggles street, was referred, in concurrence.

The Annual Accounts of City and County Treasurer, were referred to Joint Committee on Treasury Department, in concurrence.

The following orders were passed in concurrence:

Order for Committee on Institutions to see if a more eligible site for a Lunatic Hospital than that at Winthrop can be procured,

Order to erect an iron fence on a portion of the Lewis Schoolhouse lot, $3000.

Order for Committee on Ordinances to inquire if further municipal legislation is necessary to regulate the passage of vehicles in the public streets.

Order to add the President of the Common Council to the Committee on Hospitalities to Homœopathic Convention.

Report and order to increase the yard and alter location of privies of the Rice School.

The order for a Joint Special Committee to provide music on the Common, &c., was passed in concurrence, and Aldermen White and Fairbanks were joined to the committee on the subject.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses to four bootblacks, one newsboy and one boy to sell shoe-lacings. Accepted.

Also licenses to sundry persons as innholders, victuallers, auctioneer, wagon licenses and for the transfer of wagon licenses. Accepted.

Also, a license to Michael Donnovan, for leave to give an exhibition at 119 Haverhill street. Accepted.

Alderman Fairbanks, from the Committee on Sewers, reported leave to withdraw on petition of Patrick Barry, for an abatement of an assessment for a sewer on Broadway. Accepted.

Alderman Van Nostrand, from the Committee on the Assessors' Department, reported that the order to refund certain taxes assessed on Bridget Kavanagh, in 1863, ought to pass. Report accepted and order passed.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Talbot, from the Committee on Claims, reported leave to withdraw on the petition of Charles McCarthy for compensation for alleged injuries by improper location of fire alarm telegraph. Accepted.

Alderman White, from the Committee on Health, reported that leave be granted to Wilson & Buzzell to erect a stable for more than four horses at the corner of Federal and Alger streets. Accepted.

Alderman White also reported leave to withdraw on petition of J. H. Chadwick and others, that unimproved streets in the city be watered at the public expense.

Also an order, which was passed, as follows:

Ordered, That George W. Decatur be authorized to sprinkle streets with salt water in the Highlands, upon such terms and conditions as the occupants of buildings and the owners of vacant lands may agree with said Decatur, subject to such rules and regulations for watering streets as have been adopted by the Board of Aldermen.

Also the following order, which was adopted:

Ordered, That the order heretofore passed authorizing Owen Nawn to sprinkle certain streets in the Highlands, be revoked, and that he be authorized to sprinkle said streets with salt water, upon such terms and conditions as the occupants of buildings and the owners of vacant lands may agree with the said Nawn, subject to such rules and regulations for watering streets as have been adopted by the Board of Aldermen.

Alderman Richards, from the Committee on Fire Alarms, reported leave to withdraw on the petition of the Engineers of the Fire Department and the Firemen in the Highlands, and of John T. Clark and others, for a fire alarm bell on the Lewis School building; and no action necessary on the petitions of A. P. Hawkins and others, for repairs on Wells Schoolhouse alarm bell and apparatus. Accepted.

Alderman Richards, from the same Committee, on the petition of Smith & Jacobs and others, that an alarm bell be placed on the Novelty Works, Wareham street, reported that in their opinion the most suitable place for the location of an alarm bell for this section of the city would be on the city stable, and therefore recommended the passage of the following order:

Ordered, That the Superintendent of Fire Alarms, under the direction of the Committee on that department, be authorized to place one of the bells not now in use on the city stable on Albany street and connect therewith the necessary apparatus for giving alarms in case of fire; the expense, not exceeding $600, to be charged to the appropriation for Fire Alarms.

Alderman Hawes, from the Committtee on Steam Engines, to whom was recommitted the petition of Joseph Coolidge for leave to place a steam engine and boiler in his building, at the corner of Charles and Cambridge streets, and to whom were referred the remonstrances of the Managers of the Eye and Ear Infirmary, Otis Clapp and others, and E. H. Derby and others, against granting said petition, submitted the following report:

It appeared in the evidence presented to the committee that during most of the time from 1842 or 1843 to 1865 a steam engine and boiler were used in this locality. At the time the Eye and Ear Infirmary was erected, about 1848, there was a twelve-horse power engine in operation in a small building, with a low chimney, which caused much smoke and dust. In 1853 the old building burned down and the present structure was erected on the same site. A steam engine was put in and continued in operation until 1865, when it was taken out and sold for the reason that it did not pay to run it for the persons who then occupied the building. At the present time, the building is occupied for a great variety of purposes. The different rooms are heated by stoves in such a manner that the danger from fire is very great.

The building was erected and can be used advantageously only for mechanical purposes; and the owner has agreed to make such alterations and take such precautions as the Board of Aldermen may direct, in order to secure perfect safety and prevent any disturbance or annoyance of those living in the vicinity.

In view of these facts, the Committee respectfully recommend that the license be granted, upon the conditions named in the accompanying order.

Ordered, That a license be granted to Joseph Coolidge to set up and use a steam engine and boiler in the building on the corner of Charles and Cambridge streets, upon the following conditions, namely: That the boiler shall be placed in a fire-proof arch as near Cambridge street as practicable; that an extra patent safety valve be attached to it; that the power shall be used only for the manufacture of furniture; that the entire building shall be heated by steam; that the steps on the southerly side shall be removed; that iron shutters shall be put on the windows on the southerly side; that the wall between said building and the Eye and Ear Infirmary shall be increased in height if required by the managers of said Infirmary; and that any additional building which may be erected shall be constructed of brick.

Alderman Fairbanks, from the same committee, offered a minority report, as follows:

When the Eye and Ear Infirmary was erected, there was a small building thirty-five feet square and two stories high, on the corner of Charles and Cambridge streets, so that a considerable space intervened between the two buildings. The present building has a front of seventy feet on Charles street, extending nearly to the southern boundary of the estate. If the petition is granted, an engine of fifty horse power will be introduced, and the building, five stories in height, will be filled with combustible materials, used in the manufacture of furniture. It cannot be doubted for a moment, that aside from the nuisance caused by the smoke and noise from such a large establishment, the danger from fire would be greatly augmented. The high rates charged by insurance companies on such establishments show that the increased danger has been reduced to a mathematical certainty. There is more or less danger, also, from an explosion of the boiler, whatever the restrictions may be under which the license is granted.

Believing that the danger from fire, and the noise, smoke and dust caused by a large manufacturing establishment would seriously impair the usefulness of a charitable institution which is deserving of the utmost consideration and encouragement, and believing, also, that the property can be used for other purposes without detriment to the owner, the undersigned would respectfully recommend that the petitioner have leave to withdraw.

The minority report was substituted for the report of the majority, and was accepted.

ORDERS OF NOTICE.

On the proposed construction of a sewer in Cabot street, between Culvert street and Linden park, and in Vernon street, between Belmont and Cabot streets. Hearing Monday, May 24, 4 P. M.

On the proposed construction of a sewer in Bainbridge street, northerly end. Hearing Monday, May 24, 4 P. M.

On the proposed rebuilding of the sewer in Orchard street, and in Eustis street between Orchard and Dearborn streets. Hearing Monday, May 24, 4 P. M.

On the proposed laying out of Pearl place and its extension from Pearl to Oliver street. Hearing Monday, May 31, 4 P. M.

On the proposed laying out of Humphrey place, from Hamilton to Broad street. Hearing Monday, May 31, 4 P. M.

On the proposed widening of Bedford street, at the corner of Kingston street, on the notice of John R. Hall of intention to build. Hearing Monday, May 31, 4 P. M.

ORDERS PASSED.

Alderman Baldwin, from the Committee on Armories, reported the following orders, which were passed:

Ordered, That the armory occupied by Company A, Ninth Regiment of Infantry M. V. M., at No. 54 Pitts street, be approved as a suitable place for the deposit of arms.

Ordered, That the armory occupied by Company K, 1st Regiment of Infantry M. V. M. at No. 154

Broadway, be approved as a suitable place for the deposit of arms, and that there be allowed and paid for rent of said armory a sum not exceeding $600 per annum.

Ordered, That there be allowed and paid from the 12th May, 1869. until otherwise ordered, the sum of $300 for rent of an armory for the field and staff officers of the First Regiment Infantry Mass. Volunteer Militia.

On motion of Alderman Talbot,

Ordered, That there be paid to B. C. White, agent for the heirs of Isaac Packard, $7000 for their estate on Matthews street, surrendered to the city under the betterment law by an order of the Board approved May 14, 1869, upon his giving a deed of the same.

Ordered, That there be paid to Joseph G. Russell $7000 for his estate on Matthews street, surrendered to the city, under the betterment law, by an order of the Board, approved May 14, 1869, upon his giving a deed of the same.

Ordered, That there be paid to Warren Sherburne and James W. Rollins, lessee, $4250, for land taken and damages occasioned by the widening of Boylston street, by a resolve approved May 14, 1869.

Ordered, That Cambridge street be widened, on its northerly side at the corner of Staniford street, by taking land of George C. Shattuck, (N. J. Bradlee, attorney,) containing 184 square feet, more or less; also another parcel of land belonging to George C. Shattuck, containing 165 square feet; also a parcel of land belonging to George C. Shattuck and Nathaniel J. Bradlee (Trustees), containing 167 square feet; also a parcel of land belonging to Otis Daniell, Nathaniel Walker and Moses P. Grant (Trustees), containing 378 square feet, the whole expense amounting to $4475.

Ordered, That the assessment heretofore ordered on Willard Phillips for High street betterments, be apportioned into three parts.

On motion of Alderman White, an order was passed for the abatement of nuisances.

On motion of Alderman Richards,

Ordered, That the Committee on Public Buildings be authorized to repair Police Station House No. 7, at an estimated cost of $1000, to be charged to the appropriation for Public Buildings.

Ordered, That the Committee on Public Buildings be authorized to furnish the Drake Primary Schoolhouse, at an expense not exceeding $1333, to be charged to the appropriation for Primary Schools, Public Buildings.

On motion of Alderman James,

Ordered, That the Chief of Police be directed to notify the owners and abutters on the southeasterly corner of Boylston and Berkeley streets to lay their sidewalks with brick.

On motion of Alderman Seaver,

Ordered, That the Chief of Police be directed to notify all persons who have obstructions on Albany street, south of Dover street, East Canton street, Plympton and Wareham streets, to remove said obstructions within ten days from date.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Warren avenue, between Berkeley and Clarendon streets, and report a schedule of the expense of the same pursuant to law.

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Gates street, and report a schedule of the expense of the same pursuant to law.

Ordered, That the Superintendent of Sewers be authorized to lay the sewer which may be necessary for the drainage of the Coliseum outside of the building, the expense to be charged to the appropriation for sewers.

On motion of Alderman Pratt,

Ordered, That the chairman of the Committee on Lamps be and he is hereby authorized to contract with Francis H. Jenney for furnishing the fluid for lighting the streets, at the rate of one and three-tenths mills per hour.

Ordered, That the Chief of Police notify Browning, Picket & Co., No. 249 Washington street, W. C. Fogg, 220 Washington street, Mr. Parker, corner of Concord and Washington streets, E. S. Johnson, corner of Washington and Northampton streets, Charles B. Pevear, 1883 Washington street, E. Taylor, 5 Dock square, M. Mellen, 37 Cornhill, Cate & Nickerson, 200 Federal street, Hooper, Lewis & Co., 122 State street, Mr. Brett, Harrison avenue, Chase & Sears, 47 and 49 Leverett street, to remove, within ten days, the awnings in front of their buildings, as they seriously obstruct the light from the street lamps.

On motion of Alderman Hawes,

Ordered, That the Committee on Public Instruction be requested to consider the expediency of purchasing the stable lot on Tyler street, next adjoining the Quincy School, and report on what terms the the same can be obtained.

The following order was taken from the table, and passed:

Ordered, That the Committee on Ordinances be and they are hereby authorized to employ a messenger or errand boy for the office of the City Solicitor, at such rate of compensation as they shall deem reasonable, and that the expense thereof be charged to the appropriation for salaries.

On motion of Alderman Bradlee, the petition of Charles Burrill for adjustment of his claims against the city, and petition of Geo. B. Upton and others in aid thereof, were taken from the table.

Alderman Bradlee stated that at the time the petition was presented, the suit of Mr. Burrill was still pending against the city. Under the circumstances, the city could not act without giving the claimant a great advantage in the courts, should he choose to avail himself of it, and on his motion the petition was laid on the table. The subject has remained in the same condition until within a few days, when a copy of a paper, as follows, was left with the City Solicitor.

"In the matter of Charles Burrill vs. The City of Boston, now pending in the Supreme Court of the United States.

The plaintiff in said case hereby withdraws said suit and all further prosecution of the same. And he hereby personally and by his counsel pledges himself and agrees that such entry may be made in said suit, upon the docket as the City Solicitor or counsel for the city shall hereafter deem necessary or advisable."

(Signed) CHARLES BURRILL.

As counsel for Mr. Burrill, I agree to the above.

(Signed) H. W. PAINE.

May 11, 1869.

And I also.

(Signed) G. W. TUXBURY.

Alderman Bradlee moved that the papers be referred to the Committee on Claims. Carried.

On motion of Alderman James, the report "leave to withdraw," on petition of Wm. L. Burt for widening of Devonshire street, at corner of Milk street, was taken from the table and recommitted to the Committee with instructions to report the estimated expense of the proposed widening.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## MAY 20, 1869.

The regular weekly meeting of the Common Council was held this evening at 8 o'clock, the President, Wm. G. Harris, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petition of the teachers in the Washington Village School and in the Norcross School, relative to watering streets around those schoolhouses, was referred in concurrence.

The petitions of Charles Burrill, for adjustment of his claims against the city, and of Geo. B. Upton and others, in aid of the same, were referred in concurrence, to the Committee on Claims.

The following order was passed in concurrence:

Order for Committee on Public Instruction to consider the expediency of purchasing the stable lot adjoining the Quincy Schoolhouse.

The following orders were severally read once:

Order authorizing repair of Police Station No. 7, at an estimated cost of $1000.

Order for appointment of Joint Committee to make arrangements for the annual excursion of the City Council in Boston harbor.

Report and order authorizing one of the bells not now in use to be placed on the City Stable, Albany street, and the necessary apparatus for giving alarms in case of fire to be connected therewith, at an expense not exceeding $600.

Order to furnish the Drake Primary Schoolhouse at an expense not exceeding $1333.

The order to refund the tax assessed in 1863 upon certain real estate occupied by Bridget Kavanagh, and report of the Committee on the Assessors' Department in favor thereof, was considered, when the report was accepted, and the order was passed, in concurrence.

The order authorizing the employment of a Messenger for the office of the City Solicitor was read once. A motion was made by Mr. Ingalls of Ward Twelve that the order take its second reading at this time.

Mr. Jenks of Ward Three wished to know what the hurry was for its passage immediately. It appeared like springing the matter upon the Council, and he did not see the necessity for it.

Mr. Ingalls replied that its necessity was in getting it off the files. It involved only the amount of $200 or $300, and it had been hanging in the Board of Aldermen, and he could see no reason for delay.

Mr. Jenks could see no reason for hurry, nor any why the order should be passed now.

The order was read a second time and passed.

The following reports were accepted in concurrence:

Report leave to withdraw on the petition of Charles McCarthy to be compensated for personal injuries alleged to have been caused by the improper location of a fire-alarm wire.

Report no action necessary on the petition of A. P. Hawkins *et als.* for certain repairs on the Wells School House alarm-bell and apparatus.

Report leave to withdraw on the petition of the Engineers and Firemen of Boston Highlands and others that an alarm bell be placed on the Lewis Schoolhouse.

COMMUNICATIONS.

A communication was received from the Board of Assessors, announcing that a vacancy exists in the office of Second Asistant Assessors for Ward Four, occasioned by the death of A. P. Rollins.

Read, and ordered to be sent up.

The following communication from the Cochituate Water Board, was read and referred to the Committee on Water:

COCHITUATE WATER BOARD OFFICE,
May 20, 1869.

*To the City Council:*

The Cochituate Water Board, believing it to be for the interest of the city that negotiations should be made with the city of Charlestown for the supply of that portion of our city known as East Boston with the water from Mystic Lake, most respectfully request that authority may be given them to make such a contract as they in their judgment deem wise and expedient.

We consider it important to have arrangements made at an early day, as Charlestown has already agreed with the city of Chelsea and the town of Somerville, and should any others be added, it would not be prudent for them to undertake to supply any portion of our city.

It must also be borne in mind, if an agreement can now be made, it will postpone for a much longer time the necessity of another source of supply, and that East Boston will be much better supplied than it ever can be from Lake Cochituate.

Respectfully submitted.

N. J. BRADLEE,
President Cochituate Water Board.

A communication was received from Col. George H. Johnston, addressed to the Mayor, and dated May 10, 1869, as follows:

*Dear Sir:* The 29th day of this month is set apart for the purpose of strewing with flowers the graves of those who died in defence of our country in the late war for the Union. Posts 7 and 32 Grand Army of the Republic visit Mount Hope Cemetery for this purpose, and we would respectfully invite you and the members of the City Council to be present with us on that occasion.

Very respectfully,

GEO. H. JOHNSTON,
For Posts 7 and 32.

It was voted to accept the invitation.

REPORTS OF COMMITTEES.

The President presented a report from the Committee on Soldiers' Relief, to whom was referred the order authorizing the committee to expend $1000 as temporary aid to such disabled soldiers and sailors as are in necessitous circumstances, whose cases are not covered by acts of the Legislature. The committee reported that the order ought not to pass.

The report was accepted, and the order was rejected.

Mr. Osborn of Ward Six, from the Joint Standing Committee on Ordinances, who were instructed to consider the propriety of so amending the ordinance concerning public buildings as to provide that the purchase of land for school purposes shall be made under the direction of the Committee on Public Instruction, submitted the following report:

The tenth section of the ordinance in relation to public buildings provides that whenever the City Council shall order the purchase of any land for the purpose of erecting any building thereon, said purchase shall be made under the direction of the said Committee on Public Buildings.

Applications from the School Committee for additional school accommodations are invariably referred to the Committee on Public Instruction; and the duty of selecting and recommending to the City Council suitable locations for new schoolhouses naturally devolves upon that Committee. It not unfrequently happens that the best interests of the city require that the land should be purchased as soon as selected, and in that case the Committee on Public Buildings are placed in the unpleasant position of being obliged to act upon information from others and take the responsibility of such action.

Clearly the responsibility for the whole transaction should rest where it properly belongs, on the Committee on Public Instruction; and unless there was a provision in the ordinance to the contrary, that Committee would undoubtedly be authorized to complete its work by making the purchase recommended.

The Committee would therefore respectfully recommend the passage of the accompanying ordinance:

*An ordinance to amend an ordinance concerning the public buildings.*

Section 1. The tenth section of the ordinance concerning the public buildings, printed on the 478th page of the laws and ordinances of 1863, is hereby amended by adding after the word "thereon," in the third line, the words "except for educational purposes."

The question being on reading the ordinance a second time,

Mr. Keith of Ward Fifteen said he was favorably impressed by the report of the Committee, but hoped the subject would lie over for further consideration, and so that an opportunity might be afforded for comparing the amended ordinance with that now in force.

Mr. Osborn stated the changes proposed did not require much consideration, as they simply provided for placing the responsibility for certain measures where it belonged.

Mr. Snow of Ward Eleven raised the inquiry whether under the rules the ordinance was required to lie over.

The Chair replied that it was not.

Thereupon said ordinance was read a second time and passed.

Mr. Snow subsequently called attention to rule 47, relative to second reading of orders, &c., and although he did not wish to raise a question against the decision of the President, he thought the language of the rule was opposed to more than one reading of an ordinance at any session.

The Chair stated that the interpretation of Mr. Snow was not correct.

Mr. Nelson of Ward Nine said his reading of the rule was that no ordinance imposing penalties shall have more than one reading.

The Chair further stated that the first part of the rule required that all ordinances, orders and resolutions shall have two several readings, and the last part provided that no orders authorizing expenditures of money shall have but one reading on the same day. This portion of the rule evidently had reference to the matter of expenditures, because in other cases orders do often take two several readings on the same day.

Mr. Osborn of Ward Six read from the rules of 1866, which met the objection of the gentleman from Ward Eleven relative to the punctuation of the rule, since the rules of the present year were derived from those of former years. Furthermore, the custom of the Council was a precedent in the matter. A similar point was raised by him at a previous meeting, in reference to the ordinance relating to an assistant city clerk, when the Chair took the safe side, on the ground that the ordinance involved the expenditure of money.

Mr. Wells of Ward Three asked if the ordinance under consideration did not involve an expenditure of money?

Mr. Osborn of Ward Six replied that by the passage of the amended ordinance no money would be expended.

Mr. Wadsworth of Ward Four raised a question of order, that the whole debate was out of order.

The Chair ruled that the point of order was well taken.

Mr. Ingalls of Ward Twelve claimed that he had the floor before the Chair made its ruling on the question of order, by raising another point of order. That point of order was that the gentleman from Ward Four was not in order, as he proceeded to speak before being recognized by the Chair, on raising his question of order.

The Chair ruled that this point of order was also well taken, and called attention to rule seventeen, which if observed would prevent confusion.

Mr. Tucker of Ward Six, from the Committee on the Fire Department of the Common Council, to whom was referred the order authorizing the purchase of fire annihilators for the Police Stations and Fire Department buildings, made a report that, in accordance with the instructions of the Council, they have given hearings to all parties interested, and they are satisfied, from a careful examination of the subject, that the American Consolidated Company's machine is the most efficient for the purposes intended to be accomplished. The Committee, therefore, recommend the passage of the order referred to them.

The order was read a second time and passed.

Mr. Gray of Ward Twelve, from the Joint Standing Committee on the Treasury Department, to whom were referred the accounts of the City and County Treasurer for the year ending April 30, 1869, reported as follows:

That they have made a careful examination of the accounts, and compared them with the records in the Treasurer's office, and they find that the entries correspond with the receipts and vouchers on file.

| | |
|---|---|
| The business of the office during the past year has amounted to..... | $16,080,675 71 |
| On county account..... | 226,488 17 |
| On city account..... | 15,854,187 54 |
| Being an increase over the previous year of..... | 1,626,608 11 |
| The balance of cash on hand was.... | 2,661,765 31 |
| The amount of bonds and notes held by the city was..... | 530,231 33 |
| The amount of bonds for sales of lands purchased for widening streets was..... | 119,282 90 |
| The amount placed to the credit of the Committee on Reduction of the City Debt was..... | 6,339,757 78 |
| Viz: | |
| In bonds of the city..... | 4,458,675 00 |
| In cash..... | 1,881,082 78 |

The Committee desire particularly to commend the manner in which the accounts in this department are kept and the admirable system manifested in the details of the office.

(Signed) LEWIS RICE, Chairman.

The report was read and accepted and sent up.

PETITIONS.

A petition was presented from Samuel Little and others, owners of real estate on Washington street, Southern District, against a change of name of a portion of that street.

A question was raised relative to the presentation of such a petition to the Common Council, the subject being entirely under the control of the Board of Aldermen, when, on motion of Mr. Keith of Ward Fifteen, the petition was ordered to be sent up.

A petition of Charles Faulkner, for removal of restrictions on sale of land on East Springfield street, was referred to the Committee on Public Lands.

ORDERS PASSED.

On motion of Mr. Keith of Ward Fifteen,

Ordered, That the Committee on Public Buildings be authorized to make such repairs and alterations as may be needed in the various offices of the City Hall, the expense thereof to be charged to the appropriation for Public Buildings.

Mr. Keith stated that the removal of the offices of the Health and Lamp Departments had made changes necessary in the City Hall, and it was believed that the repairs and alterations could well be made during the recess.

Mr. Keith also offered the following order:

Ordered, That the Committee on Public Buildings be directed to cause the Superior Court room for criminal business to be properly ventilated, the expense to be charged to the appropriation for county expenses.

Mr. Keith, in support of the order, stated that at the close of the last term of the Criminal Court, Judge Lord called the attention of the grand jury to the condition of the court room, declaring it to be a nuisance. He thought the language of the Judge to be rather strong at the time. Having occasion to try some cases in that court the present week, where he rarely practiced, he concurred with Judge Lord in all that he said respecting it, as destructive to health and comfort. The court room was much more used than any other in the city, and being in the upper story of the building, there would be no difficulty in securing a proper ventilation of it.

The order was read a second time and passed.

Mr. Nelson of Ward Nine offered the following order, which he said he did without expressing any opinion on the subject:

Ordered, That the Committee on Public Buildings be directed to consider the expediency of erecting on some suitable site, a building for the military of the city, furnishing a drill-room and suitable apartments for the storage of arms and equipments, and thereby saving the large annual rental now paid for armories.

The order was read twice and passed.

On motion of Mr. Rich of Ward Fourteen:

Ordered, That the joint standing Committees on Fire Alarms be requested to inquire whether any need exists in the southerly part of Ward Fourteen for additional means for giving alarms in case of fire.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, MAY 24, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

*Weigher of Coal*—Alonzo H. Stowell.
*Undertaker*—Ebenezer Sanborn.

PETITIONS PRESENTED AND REFERRED.

O. H. Hanlon and others, that Ball street be accepted, &c.

Ralph Haskins and others, against the petition of Wm, Whiting and others, for the widening of Warren street, between Walnut avenue and Rockland street.

Severally referred to the Committee on Streets.

Alvin M. Turner for removal of vaults at Nos. 204, 206 Athens street. Referred to Committee on Health.

Thomas J. Geyer, for abatement of assessment for sidewalk, Nos. 38 to 42 Cottage street, East Boston.

William D. Sheriffs and others, that Sumner street be graded, &c., from Central square to Webster street.

Ralph Haskins and others, against the petition of William Whiting and others, for a change of grade in Warren street, between Walnut avenue and Rockland street. Severally referred to the Committee on Paving.

J. C. Goodwin and others, that the parade ground on Boston Common be rolled and put in order for a play ground. Referred to a Committee on Common.

Joseph L. Brigham and others, for a sewer in Mount Pleasant avenue, from Vine to Dudley streets.

Joseph Garrett, for a sewer in Saratoga street, near Prescott street.

Severally referred to the Committee on Sewers.

Teachers in the Lawrence school, that the city would sprinkle the streets adjacent to that schoolhouse. Referred to the Committee on Public Buildings.

A petition was presented from J. W. & R. Cavanagh respecting an alleged unfair award for raising buildings on Tremont street, between Pleasant street and the railroad bridge.

A motion was made to refer it to the Committee on the Church Street District for a hearing on the subject.

Alderman Richards hoped the petition would be placed on file. The subject was acted upon by a double committee. The bids were opened by the Committee on the Church Street District, and after a full consideration they determined to accept the terms not of the lowest bidder, but the terms of the contractors in whom they had the most confidence. Unless some charge of unfairness could be alleged, he should oppose any further action upon the subject. As one of the committee, he did not fear the fullest investigation.

The Committee had a right under the proposals to reject any bid, and to take that which was most satisfactory, and if in all like cases a hearing was to take place because parties were not satisfied, the Board would have more than they could attend to. Everybody could not be suited in making contracts. There is a difficulty about this portion of the Church Street Territory which made it necessary that the Committee should act with great caution. They had agreed with the parties on the territory that the work should be done in four months, and a failure to comply with the agreement might involve a great loss to the city. They must accordingly make their contracts with such parties as will insure the completion of the work without the slightest possibility of a doubt. He hoped, therefore, that the petition would be placed on file.

Alderman Baldwin did not desire to take exceptions to the statements which were made. They might be correct, but he hoped the matter might lie over for examination. When bids are made to do work for $29,000 which others require $31,000 for, if the parties were equally responsible as business men, there was no reason why they were not entitled to the contract. On inquiries, he had found that in the previous contracts of the Messrs. Cavanagh, their work had been well performed

Alderman Richards said this was no place for giving personal reasons in relation to the matter. Mr. Cavanagh knew the reasons for rejecting his bid. Such contracts were a question of opinion as to what was the interest of the city. If there had been a difference of $5000, he should have decided as he did. In this he did not say that the parties whose bid was rejected might not have performed the work, but in his judgment there was a doubt, and it was given to those in whom the committee had more confidence, as they had a right to do, and should do for the interests of the city.

Alderman Baldwin moved a reference to a Joint Special Committee, which was carried.

Aldermen Baldwin and Talbot were appointed on the committee.

Alderman Talbot declined serving, as he had been mixed up in the matter, and was excused.

Alderman Baldwin said he did not desire to serve on the committee, and when he made the motion did not do so with the expectation of being on the committee.

A motion to be excused was lost, when Alderman Bradlee was appointed in place of Alderman Talbot.

NOTICES OF INTENTION TO BUILD.

Burrill & Whitney, K street, between Third street and Broadway; W. H. Warner, Third street, between C and D streets; Jonas Fitch, Friend street, north of Hanover street; Frame & Jordan, Trenton street, between Brooks and Marion streets; Owen Clancy, Marginal street, between Haynes and Orleans streets; Wm. Smith, 64 West Castle street; F. A. Richardson, 36 Lynde street; Webb & Ward, corner of H and Second streets; W. G. Preston, corner of Beacon and Gloucester streets; Daniel Darling, Broadway, between L and K streets; J. F. & D. J. Haines & Co., 312 Sumner street; Wm. Waters, Jr., Eutaw street, between Marion and Brooks streets; Geo. W. Chipman, corner of Court and Hanover streets; Dean & Pyne, Shirley street, between George and Dudley streets; Patrick Lanergan, Third street, between E and F streets; John Gilbert, corner of Zeigler and Dearborn streets; Seth Robinson, 757 Broadway.

Severally referred to the Committee on Streets.

VACANCIES IN CITY OFFICES.

A communication was received from the Board of Assessors, announcing a vacancy in the First Assistant Assessors, by the death of Joseph W. Dudley. Read and ordered to be sent down.

A communication was received from the School Committee, proposing a convention with that body, on Tuesday, June 8, at 7½ o'clock, for filling vacancies in the committee, occasioned by the resignation of Linus M. Child of Ward Six, and Charles W. Storey of Ward Nine. The proposition for a convention at the time specified was concurred in.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice, on the proposed construction of a sewer in Bainbridge street northerly end; on the proposed rebuilding of the sewer in Orchard street, and in Eustis street, between Orchard and Dearborn streets; on the proposed construction of a sewer in Cabot street, between Culvert street and Linden park, and in Vernon street, between Belmont and Cabot streets, were severally taked up for consideration. No person appearing in either case, the reports were severally recommitted.

The hearing on the subject of change of name and numbers in East Chester park, was taken up.

Oliver Stevens, in behalf of the remonstrants, stated that every person in that part of Chester park which was affected by the recent order was opposed to the change; the people have become accustomed to the name of the street, and there was no call for a change. To show this, he proposed to call a few witnesses.

Dr. Geo. H. Nichols stated that every gentleman in the street was opposed to the change. There was no doubt there was much confusion in relation to the numbers of the various portions of the streets and parks, designated as Chester square, Chester park, &c.; yet the people who resided there, and

the hackmen and others who came there, have become accustomed to these conflicting numbers. They were so well satisfied that they asked to be let alone.

There was a general opinion that this change would depreciate the value of the property, by calling it East Chester Park. In answer to Alderman James, he stated that every person had signed the remonstrance; every person to whom it was presented, signed it.

Mr. Ritchie concurred in the statements of Dr. Nichols; if all the residents had not signed the remonstrance, he did not doubt they could all be had.

Mr. Stevens stated that if there was any public necessity for this change, as, for instance, in obliterating the little indentations of parks, squares, and streets, and for calling the principal streets in that section of the city by one name through their entire length, no particular objection would be made in this case. It might come about that Tremont street would be the backbone of these streets, and that a numbering would be required which would dispense with the names of East and West as applied to all these streets; but these remonstrants objected to being picked out from all the rest.

A motion was made to recommit the report.

Alderman Richards hoped this matter would be settled in the Board of Aldermen, and not by the committee. In the consideration of the fact that East Chester park was about to be extended across the South Bay, it was thought to be best to settle this matter at this time. In going up Washington street, it would naturally occur that the proper division into the designation of east and west, as applied to the streets, should be from that street. That rule was applied to all the streets except this, in which alone such designation commenced east of Harrison avenue instead of east of Washington street.

On motion of Alderman Richards, it was voted that the petitioners have leave to withdraw.

UNFINISHED BUSINESS.

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized in the settlement of damages caused by the extension of Broadway to purchase the estate belonging to the heirs of Edward Harney for a sum not exceeding $3000, the same to be charged to the Broadway extension loan.

COMMON COUNCIL PAPERS.

The petition of Charles Faulkner for removal of restrictions on sales of a lot of land on East Springfield street was referred in concurrence.

The request of the Cochituate Water Board for authority to contract with the city of Charlestown for water for East Boston was referred to the Committee on Water in concurrence.

The request for the City Council to participate in the ceremonies of decorating graves of soldiers on the 30th inst. was accepted in concurrence.

The notice of a vacancy in the office of Second Assistant Assessors, caused by the decease of a member from Ward Four, was referred to the Committee on the Assessors' Department.

The ordinance to amend an ordinance relating to Public Buildings so that the Committee on Public Instruction may purchase schoolhouse sites, was laid on the table.

The following orders were passed in concurrence:

Order requesting additional fire-alarm signals in Ward Fourteen.

Order to authorize repairs on City Hall offices.

Order suggesting the erection of a general armory building.

Order for ventilation of Superior (Criminal) Court room.

The report of Committee on City Treasurer's Accounts was accepted, in concurrence.

REPORTS OF COMMITTEES.

Alderman Bradlee, from the Committee on Overseers of the Poor, made a report as follows:

The Committee on Overseers of the Poor, to whom was referred the report of the Committee on Armories, with an order authorizing the Committee on Public Buildings to procure plans and estimates for a building to be erected on the lot of land belonging to the city, on Bowker street, to contain accommodations for Company A, First Battalion of Cavalry, having considered the subject, make the following report:

The boilers used in heating the Charity Buildings were now in the basement of the Temporary Home, and great inconveniences and injury result therefrom, as is particularly described in a communication from the Overseers of the Poor.

The committee think that the request of the Board contained in said communication is reasonable and just, and that the balance of the land, originally purchased for the Charity Building should be reserved and set apart for a boiler house and coal shed and such other purposes connected with the Bureau as may hereafter be found desirable. A one story building, with French roof, would furnish all the accommodations at present required, which would be much more advantageous for the institution, as regards light and air, than a high structure such as proposed by the order under consideration.

Experience has proved that many of our public institutions need enlarging to meet the growing wants of the city, and the first steps have already been taken looking to the erection of new buildings for the Public Library and for a Hospital for the Insane. This shows us that having the control of land adjoining any of our institutions, it should be the policy of the city to reserve a sufficient area to keep pace with our advancement and growth.

In the case at present under consideration, there is an urgent need of the larger portion of the unoccupied land for immediate use, and of the entire lot in the not far distant future. With these views, the committee submit that the order ought not to pass, as it would be prejudicial to the best interests of the Charity Bureau and Temporary Home.

They recommend the passage of the accompanying order as a substitute therefor:

Ordered, That the Committee on Public Buildings, in consultation with the Board of Overseers of the Poor, be requested to procure plans and estimates for a boiler house and coal sheds to be located on the lot of land adjoining the Central Charity Bureau and Temporary Home on Bowker street, and report the same to the City Council.

Alderman Baldwin said he had been of the opinion that the Charity Bureau was a great humbug, and he now fully believed it. On his motion the petition of the National Lancers was read, and the petition in aid of their request for a new armory was also read, signed by F. W. Lincoln, Jr., Jordan, Marsh & Co., and many others.

Alderman Baldwin moved a reference of the order and petitions relative to a new armory to the Committee on Public Buildings, with the same instructions as given previously,

Alderman Bradlee wished to know the intent of the gentleman, and hoped that a vote would first be taken on the Committee's report. If the acceptance of that report was refused, then the question would stand just as it did before. He hoped the question would be met squarely.

Alderman Baldwin withdrew his motion, and said his object was simply to take the matter from the Committee on Overseers of the Poor, in whose hands the matter had been manipulated so that the claims of the National Lancers were entirely disregarded. He believed the needs of the Lancers and the best interests of the city required a better armory for that Company, and it was his opinion that the lot of land adjoining the buildings of the Public Charities was the most suitable place for such an armory.

Alderman Seaver said if the object was the assistance of the poor, he was in favor of the acceptance of the report. There was such a routine in getting assistance from the Overseers of the Poor that parties were in danger of starving before relief could be obtained. If it were not for the Provident Association, a large number of poor would suffer greatly. The first question which was asked was who was their grandmother, and whether they had a settlement, and if they could not show that they had a settlement they could not get any relief.

Alderman Baldwin said the gentleman on his right (Alderman Seaver) had expressed his views in relation to the assistance of the poor, and he had heard from many persons, members of the City Government and others, great objections in relation to the red tape which must be gone through in obtaining relief. Accordingly, he had no objection to having it go upon record as the expression of his opinion that the Charity Bureau was a great humbug.

Alderman Bradlee, in reply to the charges of red

tape, said if there was any blame in the matter of relief to the poor, it was the statute and not the institutions which must bear it. The law requires these inquiries to be made in relation to settlement. The Overseers of the Poor were of the opinion that this lot of land would be necessary for their uses, and it had been found that the boilers made the rooms too hot where they now are, much to the discomfort of the sick who are in the Temporary Home.

Alderman Richards differed entirely as to the necessity of this lot of land for the uses of the Charity Bureau, or to providing for the sick there. There might now and then be a sick person there, but it would be but temporarily, for hospitals were provided for that class.

Alderman Talbot said he perhaps would have been willing to yield to the overseers if they had waited a little while before asking for another building. But a year ago they declared themselves satisfied with their accommodations in the new structure, and he could not see a necessity for an enlargement of their room so soon.

Alderman Seaver further contended that the passage of the order of this committee would not meet the case of the deserving poor. It was these very cases, of those who had no settlement, for which provision was needed. They ought to be relieved, and Boston was ready to pay for it.

Alderman Bradlee said he knew nothing of any manipulation of this matter in the committee, as had been alleged. So far as the committee were concerned, the question of an armory for the Lancers was not considered, and was not properly before them. The question was as to the need of the buildings for the Bureau of Charities. That it was a humbug to feed the poor, he could not agree to. All persons were liable to error, and it was not strange that mistakes should be made in erecting that building, as there had been in this City Hall. They had learned by actual experience that it was necessary to remove the boilers from their present position. They had injured the building, kept the rooms too hot, and spoiled the groceries which were kept there. They should therefore be taken from their present location and placed in another building.

It had been suggested that a boiler room and engine house might be in the lower story, and that an armory might be built above it. That was considered objectionable, from the fact that it would be the best policy to have a building of but one story, so that the light and air of the Relief Building should not be obstructed. There might be objections, too, on account of the noise necessarily connected with an armory, and with the dances and other late parties, which would affect the comfort of those who might be inmates of the Home.

Alderman Pratt was of opinion that this matter had become a little mixed. He objected to reflections by one committee upon another. If this Board was to pursue such a course, he should deprecate it. As far as organized charities were concerned, he had no faith in them. They were cold-hearted, but they were the best which we could have in the present state of society. He did not know much about this building, and thought it would be best to delay action, that the members of the Board might have an opportunity to examine the premises.

On motion of Alderman Pratt, the subject was laid on the table.

Alderman James, from the Committee on Paving, reported leave to withdraw on petition of Nash, Spaulding & Co. and others, to lay an iron pipe under Broad street from their store to Arch wharf. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Talbot also reported leave to withdraw on the petition of the Boston Car Spring Co., for a right of way across the Boston & Providence Railroad, at Pynchon street; also on petition of D. G. Haskins, for the acceptance of Maywood street; of Calvin B. Faunce and others, for the watering of Pynchon street; and of Martin Lennon, to be paid for land taken for the widening of Albany street Severally accepted.

Alderman White, from the Committee on Licenses, reported in favor of licensing two newsboys; of a license to Francis Banks to give a sparring exhibition at 119 Haverhill street, and of John B. Bailey for a similar exhibition in the same place. Severally accepted.

Alderman White, from the Committee on Health, reported in favor of granting the petition of John Quinn, to build a stable for more than four horses on Broadway, between K and L streets, and leave to withdraw to Solomon S. Gray and others, remonstrants against the same. Accepted.

Alderman Seaver, from the Committee on Markets, reported leave to withdraw on the petition of the Massachusetts Charitable Mechanic Association, for leave to construct a temporary building for the use of their exhibition, on South Market street. Accepted.

Alderman James, from the joint standing Committee on Public Lands, made a report in which they respectfully represent that an order was passed by the City Council and approved by his Honor the Mayor, April 2, 1869, granting the use of the lot of land belonging to the city on Dartmouth street and St. James avenue to the directors of the proposed Musical Festival for the erection of a building thereon, in which to hold said festival. As the land could not be used until it was graded up, and immediate attention being required in having it done, the Committee directed the Superintendent of Public Lands to proceed forthwith and place the same in a condition satisfactory to the committee having in charge the erection of said building.

The Common Council having on the first day of April adjourned for two weeks, the committee were prevented from asking for an appropriation as requested by the seventeenth section of the joint rules and orders of the City Council, and therefore were obliged to wait until the work had been completed. Believing that their action will meet with the approval of the City Council, they recommend the passage of this accompanying order.

Ordered, That the Treasurer be and is hereby authorized to pay to Martin Hayes & Co., the sum of $1436 36, it being for work done upon the lot of land belonging to the city on Dartmouth street and St. James avenue, known as St. James park, the said amount to be charged to the appropriation for Public Lands.

The order was read twice and passed.

Alderman White, from the Joint Standing Committee on Public Instruction, to whom was referred the request of the School Committee, that the lot of land owned by the city on the corner of Berkeley and Newbury streets be reserved for school purposes, having considered the subject, report that in their opinion it would be inexpedient to reserve the lot for school purposes. As the Committee on Public Lands were directed by an order of the City Council passed July 2, 1866, not to sell the land until otherwise ordered, the passage of the accompanying order is respectfully recommended:

Ordered, That the Committee on Public Lands be authorized to sell the lot of land owned by the city on the corner of Berkeley and Newbury streets, whenever they shall deem best for the city's interest.

The order was read twice and passed.

Alderman White, from the same committee, who were requested to ascertain whether any additional appropriation was required to provide for the conveyance of pupils attending the public schools from certain sections of the city, having carefully considered the subject, submit the following report:

It appears from a communication sent to the City Council by the School Committee, in February last, that for several years past the pupils in the Latin, English High, and Girls' High and Normal Schools residing in East Boston have been allowed to pass over the ferries for the nominal sum of two dollars per annum.

On the 1st of January, 1869, this privilege was withdrawn, and full fare demanded. The School Committee, therefore, requested the City Council to make arrangements for the conveyance across the ferries of pupils attending those schools, free of charge. When this communication was received, the city had no authority to expend money for the purpose; but an act has recently been passed by the Legislature authorizing cities and towns to appropriate money to be expended by the School Committee, in their discretion, in providing for the conveyance of pupils to and from the public schools.

As the appropriation for school purposes during the present year does not contain any specific provision for furnishing free conveyance to pupils, it is necessary that the City Council should authorize the School Committee to expend from their appropriation for incidentals in furnishing a free passage across the ferries. The committee would therefore respectfully recommend the passage of the accompanying order.

Ordered, That the School Committee be authorized to furnish tickets for a free passage over the East Boston ferries to such of the pupils from Ward One, attending the Latin, English High and Girls' High and Normal schools as may require them, the expense to be charged to the appropriation heretofore made for Grammar Schools, School Committee.

The order was read twice and passed.

Alderman Talbot, from the Committee on Laying-out and Widening Streets, to whom were committed the accompanying communication and report, with instructions to estimate the expense of the proposed widening of Devonshire street, opposite the new Post Office site, reported that they had given the subject their consideration and were of opinion that the expense of the said widening will not be less than $75,000.

The report was accepted.

The question recurring upon the previous report of the committee, leave to withdraw on petition of Wm. L. Burt, for the widening of Devonshire street, the report was accepted, by a vote of 9 to 3, as follows:

Yeas—Baldwin, Bradlee, Fairbanks, Hawes, Pratt, Seaver, Talbot, White, Van Nostrand.

Nays—James, Rice, Richards.

ORDERS OF NOTICE.

On the petition of the Metropolitan Railroad Co. for location of track on Harrison avenue, from Dover street, to connect with their track on Eustis street. Hearing Monday, June 14, 4 P. M.

On the proposed widening of Eliot street, to Wm. Holmes and the heirs of Jonathan Patten. Hearing Tuesday, June 8, 4 P. M.

On the notice of intention to build on the Bromfield House estate, of a proposed widening. Hearing Tuesday, June 8, 4 P. M.

On the proposed construction of a sewer in Purchase street, from Congress to Federal street. Hearing Monday next, May 31, 4 P. M.

On the petition of the Bay State Brick Co. for leave to build a stable on Stanhope street. Hearing Monday next, 4 P. M.

On the petition of the Provident Institution for Savings and others, against the change of name of Temple place. Hearing Monday next, 4 P. M.

ORDERS PASSED.

On motion of Alderman Pratt,

Ordered, That the Superintendent, under the direction of the Committee on Lamps, be and he is hereby authorized to expend not exceeding $2500 for the purpose of lighting the streets in the immediate vicinity of the St. James Park during the continuance of the proposed Peace Jubilee, the expense to be charged to the appropriation for the Lamp Department.

On motion of Alderman James,

Ordered, That the Superintendent of Streets be directed to build such plank walks and fences and do such grading upon the streets around and in the vicinity of the Coliseum as in the opinion of the Committee on Paving the public safety and convenience may require.

On motion of Alderman Fairbanks,

Ordered, That the sum of $21 26 assessed upon Joel S. Gilman for a sewer in London street, be and is hereby abated.

On motion of Alderman Talbot,

Ordered, That there be paid to James Power and Patrick H. Powers $321, for 321 feet of land taken from a person or persons unknown (a portion of a common passage-way), taken by the widening of Federal street under resolve of June 6, 1868, and to be charged to the Federal street loan.

Ordered, That there be paid to James Power and Patrick H. Powers $2108 70 for land taken and damages occasioned by the widening of Federal street, under resolve of June 6, 1868, the said land having been taken in the name of Samuel A. Way.

Ordered, That the safety and convenience of the city require that Rockville place should be laid out, and that land belonging to the city be taken, corner of Rockville place and Warren street, the laying out being at no expense.

On motion of Alderman White,

Ordered, That the wages of employés of the Health Department, with the exception of mechanics and foremen of yards, be increased at an average of four dollars per month, said increase amounting to the sum of seventeen thousand dollars per annum.

Order passed for the abatement of a nuisance on Cambridge street and Lawrence place.

On motion of Alderman James,

Ordered, That the Superintendent of Streets be authorized to remove the trees which obstruct the sidewalk on Monmouth street, near the corner of Brooks street.

Ordered, That the Superintendent of Streets be directed to grade Vernon street, from Cabot street to Tremont street, with ashes, at an estimated cost of $5000.

Ordered, That the Board establish the revised grade of Grove Hall avenue, as shown on plans and profiles made by the City Surveyor, dated May 1, 1869, approved by the Committee on Paving, and deposited in the office of the said City Surveyor.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Eutaw street, between Meridian and Brooks streets, to furnish edgestones for sidewalks and lay their sidewalks with brick.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Parker street, between Tremont and Heath streets, to furnish edgestones to support the sidewalk.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Everett street, to lay their sidewalks with brick.

Orders were read once, for the repaving of Court street with the Stafford pavement, from Court square to Washington street, at an expense of $3500; to repave South street with small granite blocks, from Beach street to Kneeland street, at a cost of $2000; to repave Milk street, from Congress to Pearl streets, at a cost of $2500; to repave Harrison avenue, from Dedham to Plympton streets, at a cost of $1500; also an order to change the remaining fire alarm signal boxes for the automatic boxes, at an expense of $300.

AUDITOR OF ACCOUNTS.

Alfred T. Turner was elected Auditor of Accounts by an unanimous vote.

On motion of Alderman Rice,

Ordered, That a message be sent to the Common Council, proposing a Convention of both branches of the City Council on Thursday next, the 27th inst., at 8 o'clock P. M., for the purpose of choosing a City Treasurer for the financial year.

Alderman Van Nostrand moved to reconsider the rejection of the order allowing and paying $3000 to the Trustees of the Roxbury Latin School, which motion prevailed, and the report and order were then laid on the table.

On motion of Alderman Hawes, it was voted to visit the Charity Building on Tuesday.

Adjourned to Thursday evening at 8 o'clock.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## MAY 27, 1869.

An adjourned meeting of the Board of Aldermen was held this evening at 8 o'clock, Mayor Shurtleff presiding.

PETITIONS PRESENTED AND REFERRED.

Elmira Rollins, that the betterment assessed on her estates, Nos. 25 and 27 High street, be apportioned into three parts.

Heirs of Joseph H. Thayer, that the betterment assessed upon their estate on Avon place be apportioned into three parts.

Severally referred to the Committee on Streets.

Stevenson & Pierson and others, that Kilby street be repaved, from State to Water streets, with wooden pavement, or square blocks. Referred to the Committee on Paving.

Thomas Richardson, against the city's acqusition of any easement over his property, at the foot of Summer street, by reason of the continuance of any drain or sewer through the same. Placed on file.

Solomon B. and Mary M. Morse, to be compensated for personal injuries sustained by said Mary M. from a fall on the icy sidewalk of Webster street. Referred to the Committee on Claims.

Jairus Pratt and others, to be compensated for damages to their estates by reason of the change of grade on Eutaw street, some years since. Referred to the Committee on Claims.

A request of the School Committee for the erection of a primary schoolhouse on the lot purchased for that purpose on Appleton street, was referred to the Committee on Public Instruction.

A request of the School Committee that additional school accommodations be provided in the Phillips street primary schoolhouse, Highlands, was referred to the Committee on Public Instruction.

An invitation from Post No. 26, G. A. R., to participate in the decoration ceremonies on the 27th inst. was accepted.

SPECIAL ASSIGNMENT.

A notice was received from the Common Council, of a concurrence in a proposition for a convention for the election of a City Treasurer.

The Board went into convention with the Common Council, and shortly afterwards returned.

[See proceedings of Common Council.]

UNFINISHED BUSINESS.

The following orders were passed:

Ordered, That the Committee on Fire Alarms be authorized to change the remaining crank signal boxes, fifty-eight in number, to the automatic boxes, the expense, not exceeding $3300, to be charged to the appropriation for fire alarms.

Ordered, that the Superintendent of Streets be authorized to repave Harrison avenue, between Dedham and Plympton streets, at an estimated cost of $1500.

Ordered, That the Superintendent of Streets be authorized to repave South street, from Beach street to Kneeland street, with small granite blocks, at an estimated cost of $2000.

Ordered, That the Superintendent of Streets be authorized to pave Court street, from Court square to Washington street, with the Stafford Wooden Pavement, at an estimated cost of $3500.

Ordered, That the Superintendent of Streets be authorized to repave Milk street, between Pearl and Congress streets, with small granite blocks, at an estimated cost of $2500.

REPORTS OF COMMITTEES.

Alderman James, from the Committee on Common, reported leave to withdraw on the petition of J. C. Goodwin and others, that the parade ground on Boston Common be rolled and put in order for a play ground. Accepted.

Alderman White, from the Committee on Licenses, reported in favor of a license to Wm. Blaikie, to give a dramatic entertainment in Horticultural Hall, May 29th. Accepted.

Alderman James, from the Committee on Paving, offered the following orders, which were passed:

Ordered, That the Chief-of-Police be directed to notify Solon W. Dewey, owner of estate on Kenilworth street, to furnish new edgestones and lay his sidewalk.

Ordered, That the Chief-of-Police be directed to notify the owners and abutters on Meridian street between Eutaw and White streets, Eutaw street between Meridian and Brooks streets, Monmouth street between Meridian and Brooks streets, White street between Meridian and Brooks streets, and Brooks street between Saratoga and Condor streets, to furnish new edgestones and lay their sidewalks.

On motion of Alderman Richards, the vote that the Committee on Public Buildings be directed to ventilate the Superior Criminal Court room, was reconsidered, and the subject was referred to the Committee on Public Buildings on the part of the Board.

On motion of Alderman Bradlee, the vote referring to a joint special committee the petition of J. & W. R. Cavanagh, was reconsidered, and said petition was referred to a special committee of the Board, consisting of Alderman Bradlee, Hawes and Van Nostrand.

Alderman White, from the Committee on Licences, reported rules and orders for the government and regulation of hackney carriages, omnibuses, trucks, wagons and other vehicles. Read once.

Adjourned.

## Proceedings of the Common Council,

## MAY 27, 1869.

The regular weekly meeting of the Common Council was held this evening at 8 o'clock, the President, Wm. G. Harris, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

A message proposing a Convention for choice of City Treasurer, at 8 o'clock this evening, was concurred in, and notice of concurrence was ordered to be sent to the Board of Aldermen.

ELECTION OF CITY TREASURER.

The Board of Aldermen came in, for a convention of the two branches, when they proceeded to the business of the convention in the election of a City Treasurer.

Alderman Van Nostrand, and Messrs. Tucker of Ward Six and Snow of Ward Eleven were appointed a Committee to receive, sort and count the votes.

The Committee reported as follows:

Whole number of votes.....55
Necessary to a choice.....28
Frederick U. Tracy.....53
A. R. Holden 1, blank 1..... 2

Mr. Tracy was declared elected.

The business of the convention being concluded, the Board of Aldermen withdrew.

The petitions of teachers in the Lawrence School, for the sprinkling of the streets adjacent to that schoolhouse, of J. Pratt and others, in relation to change of grade of Eutaw street, and of Solomon B. and of Mary M. Morse, were referred in concurrence.

The reference to the Committee on the Assessors' Department of the communication from Board of Assessors announcing the death of A. P. Rollins, a Second Assistant Assessor, was concurred in.

The notice of a vacancy in the Board of Assessors, caused by the death of Joseph W. Dudley, a First Assistant Assessor, was referred to the Committee on the Assessors' Department.

The requests of the School Committee, for the erection of a primary schoolhouse on lot in Appleton street, and for further school accommodations in the Phillips primary schoolhouse, were referred in concurrence.

An invitation of Post 26, G. A. R. to participate in decoration ceremonies, was accepted and placed on file.

The following orders were each read once:

Order authorizing the payment of $1436 63 to Martin Hayes & Co., for work done on St. James park.

Order authorizing sale of city's land on the corner of Berkeley and Newbury streets.

Order to change the remaining (fifty-eight) fire-alarm boxes for automatic boxes, at a cost of $3300.

Orders were passed, as follows:

Order authorizing sale of city's land on the corner of Berkeley and Newbury streets.

Order authorizing the purchase of the estate of the heirs of Edward Harney, in settlement of damages on account of the extension of Broadway.

ELECTION OF AUDITOR OF ACCOUNTS.

The certificate of election of Auditor of Accounts, from the Board of Aldermen, was read, when it was voted to proceed to an election.

Messrs. Flanders of Ward Five, Doherty of Ward Two and Young of Ward One were appointed a committee to receive, sort and count the votes. The committee reported as follows:

Whole number of votes.....49
Necessary to a choice..... .....25
Alfred T. Turner.....46
F. W. Tracy, Thomas Keyes, Jr., John J. Galliran, one each.....3

Mr. Turner was declared elected, in concurrence.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Order authorizing repair of Police Station No. 7, at an estimated cost of $1000.

Report and order authorizing one of the bells not now in use to be placed on the City Stable, Albany street, and the necessary apparatus for giving alarms in case of fire to be connected therewith, at an expense not exceeding $600.

Order to furnish the Drake Primary Schoolhouse at an expense not exceeding $1333.

Order for appointment of Joint Committee to make arrangements for the annual excursion of the City Council in Boston Harbor.

Messrs. Braman of Ward Six, Wells of Ward Three, Flanders of Ward Five, Vannevar of Ward Eight and Flynn of Ward Seven were joined to the above named committee.

REPORTS OF COMMITTEES.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, to whom was referred the petition of several school teachers that the streets around the Norcross and Ticknor Schoolhouses be watered, having carefully considered the subject, recommended the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to have the streets around the several public buildings and schoolhouses watered during the season of 1869, the expense thereof to be charged to the appropriation for Public Buildings, Grammar Schools, Public Buildings, and Primary schools, Public Buildings.

Read twice and passed.

Mr. Keith, from the same committee, who were directed to consider and report on the expediency of erecting a new Police Station in the Sixth District, having carefully considered the subject, reported that in their opinion it would be inexpedient at present to erect a new building, as the house now occupied can be altered and enlarged so as to furnish all the accommodations required. Upon consultations with the officers of the District, they find that the present location is the most desirable, as the principal part of the business of the station is done in its immediate vicinity.

Your committee have obtained estimates of the expense of altering the present building, and find that it can be done at an estimated cost of $13,000. They would therefore recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to alter and enlarge Police Station No. 6, at an estimated cost of $13,000, and that the Auditor of Accounts be authorized to transfer said amount for that purpose from the reserved fund.

The order was read once.

Mr. Osborn of Ward Six, from the Committee on Finance, to whom was referred the petition of the several Savings Banks of this city, that registered bonds be substituted for City of Boston coupon bonds, made a report recommending the passage of the accompanying order:

Ordered, That the City Treasurer be hereby authorized to issue, in such form and manner as the Committee on Finance may direct, registered certificates of indebtedness of not less than $1000 each, in exchange for and in lieu of any coupon certificates which have been or may hereafter be issued under authority of orders of the City Council, and that he shall mutilate the certificates so received in exchange and deposit them with the Auditor of Accounts, that they may be placed on file in his office. The certificates issued in accordance with the provisions of this order shall be signed by the Mayor, Treasurer and Auditor of Accounts.

On motion of Mr. Keith of Ward Fifteen, the word "cancel" was substituted for "mutilate," when the order was read a second time and passed.

Mr. Osborn, from the same committee, reported that to better enable them to negotiate the loans which have been authorized by the City Council, they would ask for the passage of the accompanying orders:

Ordered, That the Committee on Finance be and they are hereby authorized to consolidate the loans already authorized by the City Council, but not negotiated, for various street improvements; also the loans which may hereafter be authorized by the City Council for the same purpose the present municipal year, into one loan, to an amount not exceeding $5,000,000, to be styled and called the "Consolidated Street Improvement Loan."

Ordered, That all the betterments and the revenue of all kinds derived from the various improvements for which this "Consolidated Street Improvement Loan" is made, shall form a special sinking fund for the redemption of the same. Said fund to be invested by the City Treasurer in such manner and in such securities as the Committee on the Reduction of the City Debt, for the time being, shall from time to time direct.

The orders were passed, under suspension of the rules, by a vote of 44 yeas, nays none.

The same Committee reported the following order:

Ordered, That the Treasurer be, and he hereby is authorized to borrow, under the direction of the Committee on Finance, a sum not exceeding $3,000,000, in anticipation of the income of the present financial year, and that all money obtained under this order be made payable on or before the 30th day of April, 1870, the close of the financial year.

The order was read once.

Mr. Young of Ward One presented an invitation on behalf of the owners of steamer Massasoit to visit that steamer on Saturday next at 2½ o'clock, for an excursion in the harbor. Read and placed on file.

On motion of Mr. Batchelder of Ward Four an order was read twice and passed for the payment of certain bills of members of the City Government. Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, MAY 31, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at four o'clock Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

*Measurer of Wood.* Wm. B. Harding.

*Members of Fire Department.* Perley M. Marble, Hose Co. No. 4; Irving W. Campbell, Hose No. 6; Louis W. Fluet, Hose No. 10; L. M. Clifford, Hook and Ladder Co. No. 3; John G. Duffy, Engine No. 4.

PETITIONS PRESENTED AND REFERRED.

John Kuhn, for leave to remove a tree from Mount Pleasant avenue, corner of Forest street.

N. J. Bradlee and others, that stone steps be substituted for the wooden ones on passage way from Brookline street to Pembroke street.

Mrs. Hodge, for abatement of an assessment on estate of John A. Hodge for sidewalk in Lexington street.

John L. Hunnewell and others, that the gutters be paved from 38 to 48 Marion street, East Boston.

M. J. Ryder and others, that D street, from second street to Fifth street, be paved.

Severally referred to the Committee on Paving.

Thomas B. Williams, to be paid for damages occasioned to his estate by change of line on Tremont street, at the corner of Lagrange street.

Walter S. Robinson and others, that West Rutland street be accepted.

Severally referred to the Committee on Streets.

Sarah Nicks, to be compensated for personal injuries received in Kennard avenue.

Joseph Azarian, to be paid for damages done to his property by an alleged obstruction on the highway of Beacon street.

Severally referred to Committee on Claims.

A. M. Stetson & Co. and others, that a steam fire engine be located between C and E streets, near First or Second streets. Referred to Committee on Fire Department.

Cook, Jordan & Morse, that a portion of flats in the South Bay be dredged out. Referred to Committee on the Harbor.

Ivory Harmon and others, that a sewer be laid in Perrin and Moreland streets, to Grove Hall avenue. Referred to the Committee on Sewers.

Terence McAuliffe, for leave to give an exhibition of sparring at 119 Haverhill street.

Dexter & Mecker, for leave to exhibit statuary on Back Bay lands.

Severally referred to Committee on Licenses.

S. G. Cheever, that a nuisance on Shawmut avenue, near Madison street, be removed by the construction of a sewer. Referred to the Committee on Health.

Assignees of Charles W. Griffeths, for abatement of tax. Referred to Committee on Assessors' Department.

John Ritchie and others, that one uniform name be given to East Chester Park, Chester square, and West Chester Park, with a request for a hearing before the full Board and not before a committee.

Jordan, Marsh & Co. and others, in aid of the above, on account of the constant annoyance and difficulty in sending goods to the dwellings in those streets.

Alderman Richards stated that remonstrances were to be presented against these petitions, and ten persons had signed the petition under a misapprehension. He moved that the parties have a hearing two weeks from today.

Alderman Baldwin suggested the next meeting, to which it was replied that as the remonstrance could not be presented until that meeting, it could not be expected that the parties would have a sufficient notice.

The motion for a hearing June 14 was carried.

NOTICES OF INTENTION TO BUILD.

Otis Wentworth, Bowker street; Julius Hincke, 60 Kingston street; Henry Bailey, Maverick street, between Cottage and Lamson streets; Henry Coy, Norfolk street, near Lambert avenue; James Tevan, Lenox street, between Shawmut avenue and Tremont street; George Lewis, corner of Highland and Lambert streets; J. F. & D. J. Haines & Co., Chelsea street, near Decatur street; J. Scherer, Kendall street; J. A. Bell, Sixth street, between E and F streets; Barney Doherty, Hamburg street; A. & J. McLaren, 4 and 6 Eutaw street; John W. Odiorne, Trenton street, between Marion and Brooks streets; Julius Hincke, 4 Lincoln street; James McNiel, Columbus avenue, between Clarendon and Dartmouth streets; Michael Mulore, Chadwick street; J. D. Western, Forest street, between Mount Pleasant avenue and Vine street; William Morse, Warren street, opposite Zeigler street; Richards & Park, Tremont street, corner of Berkeley street, and at 370 Tremont street; Samuel Rice, corner of Pleasant and South Cedar streets; E. J. Davenport, Eighth street. Severally referred to the Committee on Streets.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the proposed laying out of Humphrey place, from Hamilton street to Broad street; on the proposed laying out of Pearl place, and its extension from Pearl street to Oliver street; on the proposed widening of Bedford street, at the corner of Kingston street; on the proposed construction of a sewer in Purchase street, from Congress street to Federal street; and on the petition of the Bay State Brick Co., for leave to build a stable on Stanhope street for more than four horses, were severally taken up. No person appearing in either case, the reports were severally recommitted.

The order of notice on remonstrance of owners and tenants on what was recently Temple place, against the change of name of that place to Avon street, was taken up by assignment.

G. S. Hillard, for the remonstrants, called several of the parties in interest. After stating that this was something more than a matter of taste and feeling, that a great change had taken place in the street, by fitting up the residences as shops, and a great expense had been incurred in advertising, the tenants and their customers having become familiar with the name of the place, he said he would ask these parties to state their reasons against the change.

Mr. Peter Wainwright, Treasurer of the Provident Institution for Savings, stated that books had been issued to 30,000 or 40,000 names, many of which had gone to the country. By the change it would be difficult for many of the persons to find the institution, and subject them to great inconvenience and expense. The books were often brought by the agents of parties, and a few days since one came from California. A very large number reside out of the city, and in all parts of the country. It was a matter the managers of the Institution did not care about themselves, but only for the interests of depositors.

In answer to questions from several Aldermen, he stated that it was true the men entered the bank from Winter place, he did not know that any one ever failed to find where the bank was, and that the bank removed hence from Tremont street some thirteen years since. Many of the depositors were ignorant, and it would be difficult for them to get accustomed to the name of a new street.

Thomas C. Amory had no question that it would be much to the advantage of owners, tenants and others to have the name restored, a name well known so long in this city and out of it.

In answer to Alderman Talbot, he did not think there would be the same difficulty arising from similarity of names of Temple place and Temple street as there would be in the names of Chester park and Chester street, as had been spoken of.

Thomas E. Chickering said he had no interest in the matter, except as to general objection to changing names of streets. When the change was made, being about to purchase a piece of property, he gave up the purchase on account of such change. He should consider it a great loss to business on that street with a change of name.

In answer to Alderman Talbot whether he believed any disadvantages had arisen from combining the several streets now comprising Washington street, he thought not; but did not look upon this as strictly a continuous street across Washington street.

Dr. R. Greene stated that he went into Temple place about the time it was cut through, and made no objection to a change of name at that time.

After being changed to Autumn street, and then changed back to Temple place, the owners and occupants felt that they were entitled to retain the old name. They hesitated for a time about advertising, and then, believing the matter was settled, advertised extensively. He had advertised to the amount of $15,000, and under a change of name should consider that amount to be entirely lost. Some of his letters still went to Bromfield street, whence he removed fifteen years ago. There was no difficulty in his mind in retaining the name of "place" after a street was cut through, and he could see no necessity for a change. The difficulty from a change was much greater in a business street than in a street for dwelling houses.

Mr. Cushman (Cushman & Brooks) stated that he had paid a great deal of money for advertising, there being an advantage in the street being short, and it would be a great loss to himself and to others should the change be adhered to.

In answer to Alderman Richards, Mr. Cushman said he commenced business in the street in March, but did not think he had lost anything by the change because it was known to but few persons.

John Sweetser (Sweetser & Abbott) objected to changing the names of streets, and particularly in this case, as it had never been a practice of running a street across Washington street. He had spent a great deal of money for advertising, and thought it due to parties under such circumstances to get the advantages of such an outlay. It had been said that no one but the occupants of the streets objected to it, but he could not see how other parties could have such an interest in the matter as they had. It was an injury both to the owners and occupants.

Wm. Clapp said he had written to business firms in relation to doing business in "places" in New York, and it was found that there had never been any inconvenience therefrom. In some instances it was considered more advantageous from being better known.

R. G. Ferguson had spent $9000 in advertising, which he should consider as lost by a change.

Mr. Adams had a lease of seven years, which he should be glad to be released from by giving $1000, should the new name be retained. In two instances, recently, on an inquiry of a policeman and of another person, he was assured that Avon street was on the Back Bay. He did not believe one business man in one hundred ever knew of Avon place.

Mr. Alden made some statements relative to the difficulties of customers in finding Avon street.

Mr. Hillard, in conclusion, said he should think it would be agreed that where a name was well known, it should not be changed without good and sufficient reasons. In regard to the change of name of the several streets now constituting Washington street, as suggested by Alderman Talbot, there was a good reason for calling them by one name, as a continuous street. In this street, both Temple place and Avon place were closed at one end a few years since, and there was no analogy in relation to making them one street. There was no evidence that any one in Temple place or in Avon place had asked for a change. There had been no investments in Avon place as a place of business, and it was asked of the greater to take up with the less, in giving the name of Avon street to Temple place. The greatest objection to the change was in the difficulty which it would give to the Savings Institution, the oldest in the United States. A large number of their depositors were ignorant persons, and no one except those who had had dealings with such parties could realize the difficulty which would result in giving a name which these depositors had never heard of.

On motion of Alderman Talbot the subject was laid on the table for one week.

COMMON COUNCIL PAPERS.

The notice of a vacancy in First Assistant Assessors, caused by decease of Joseph W. Dudley, was referred to Committee on Assessors' Department, in concurrence.

The following orders were passed, in concurrence:

Order to pay bills of certain members of the City Government.

Order to form a consolidated Street Loan of $5,000,000, and to create a sinking fund to redeem the same.

Order to create and substitute Registered City Bonds for Coupon Bonds.

Order that the streets around the several schoolhouses be sprinkled at expense of the city.

UNFINISHED BUSINESS.

The rules and orders, in relation to carriages, were considered.

Alderman White stated that they were the same which were got up by the Board of Aldermen, and being familiar to Aldermen, he moved a second reading by the title.

Alderman Pratt wished to call the attention of the Board to the fact of a distinction being made in the fares to remote parts of the city, in connection with the recent location of the new Normal school, as demonstrating the necessity, at the proper time, of making a like distinction in favor of free transportation to pupils residing in the portion of the city against which distinctions are now made.

A motion of Alderman White to fill the blank in the sixteenth section by the date of 15th June, as the time which the regulation shall take effect, on the suggestion of Alderman Talbot was modified to the 30th June and adopted.

In the clause relating to baggage, it was stated that the charge for each extra article should have been "fifteen" cents instead of "five," which was a misprint.

Alderman Talbot hoped that paragraph relating to baggage would not be pressed and moved that it be struck out as follows, the clause being: "One trunk, valise, box, bundle, carpet-bag, basket or other article used in travelling, shall be free of charge; but for additional trunks or other articles, five cents each may be charged."

Alderman White stated that the owners of coaches never intended to charge their regular customers anything for extra baggage, and this provision was put in to meet a complaint, that many persons in returning from a journey with their whole families, put a servant girl in a carriage, and pile on all their baggage, for which they pay but one fare, while all the rest of the family take the horse-cars to their homes.

Alderman Hawes stated that the majority of people, in paying for their fare, never asked to have more than one trunk carried. He moved to substitute 25 cents for 15. The amendment was lost.

The motion of Alderman Talbot to strike out the clause relating to baggage was lost—5 to 6.

Alderman Baldwin suggested that the amount of baggage should be limited by weight, not to exceed 200 pounds.

Alderman Pratt suggested that the extra charge should apply to each two articles instead of each one.

The motion to substitute "fifteen" for "five," was put to vote and declared to be carried.

A doubt was raised, and debate on it was allowed.

Alderman Talbot hoped it would not prevail. If a passenger was taken from the Clarendon House to the Boston & Maine Railroad depot, for which he paid $1, all of his baggage should be taken. If a charge was made for carrying an extra trunk, or valise, it would create confusion all the time. It was understood that the owners of hacks were willing to go from the South End to the railroad depots for $1.

Alderman Seaver, in reply to a remark of Alderman Pratt relative to his voting to protect the poor, said it was immaterial what they voted the fares to be, for the hackmen over his way make the law.

Alderman Pratt said he was not inclined to take up this matter, but was disposed to protect those who needed it so far as he could.

Alderman Bradlee said there was no reason why hackmen should not be protected as well as other persons. In support of the extra charge, he made similar statements to those already made, that the baggage of four or five persons was often put upon a carriage, and one fare paid, while the others walked or rode in the cars.

Alderman Baldwin was willing to believe that some of the people were close calculators, but such instances as were related were rare. As a general rule, the baggage of most persons was light, and when there was more, it would be about right on a general average.

Alderman Pratt said it was the case that the same persons who are charged with coming home from a journey with a large amount of baggage, often go away with a mere satchel.

The motion to substitute "fifteen" for "five" was carried, by a vote of 7 to 4, as follows:

Yeas — Bradlee, Fairbanks, Hawes, James, Seaver, Van Nostrand, White.

Nays—Baldwin, Pratt, Rice, Talbot.

Alderman Pratt moved to amend by substituting "two" for "one" trunk, valise, &c.

A debate ensued as to the construction of the language, whether the extra charge was to apply to each separate article, and whether in those enumerated as to be free of charge, one of each named could be carried.

The question was raised also, by Alderman Hawes, as to the size of the box or bundle.

Alderman White gave as his construction of the provision that one passenger could carry each of the six articles enumerated, free of charge.

The motion of Alderman Pratt was lost.

On motion of Alderman Talbot, the subject was laid on the table.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported licenses for three newsboys, two boot-blacks, one to sell confectionery, and one to sell pop-corn. Severally accepted.

Alderman White also reported in favor of licenses to several innholders, victuallers, and of transfers of licenses. Accepted.

Alderman White also reported in favor of licenses to George H. Davis to give concerts at the building known as the Coliseum from June 15th to 20th; to F. C. Barksdale, to exhibit Mexican curiosities at No. 37 Avon street; to C. St. John, to exhibit a panorama at Tremont Temple; to Ann Irish, to give a concert at Tremont Temple, May 31; to Edward L. Wilson, to exhibit colored photographs at Horticultural Hall June 1st to 4th. Severally accepted.

Alderman Talbot, from the Joint Standing Committee on Claims, to whom was referred the petition of Calvin F. Ellis, to be compensated for personal injuries caused by a fall on Winter street, made a report, with a recommendation of the passage of the following order:

Ordered, That the sum of $1000 be paid to Calvin F. Ellis, in full compensation for personal injuries received by him December 18th, 1867, on account of a defect in Winter street, said Ellis to give a discharge satisfactory to the City Solicitor for all damages, costs and expenses on account of said injuries.

The order was twice read and passed.

Alderman Talbot, from the same Committee, to whom was referred the petition of Eliza A. Sanford, to be compensated for damages caused by impaired drainage in Middlesex street, made a report that the legal liability of the city for damages from want of drainage in that section known as the Suffolk Street District, ceased under the statute of limitation, in February last. A committee of the City Council is now engaged in devising a plan for the improvement of this district, under the authority of an act of the Legislature similar to the Church Street District Act. Under these circumstances the committee recommend that the petitioner have leave to withdraw.

The report was accepted.

Alderman Richards, from the Committee on Public Buildings on the part of this Board, to whom was referred an order from the Common Council respecting the ventilation of the Superior (Criminal) Court room, recommended the passage of the following order, instead of that referred to them:

Ordered, That the Superintendent of Public Buildings, under the direction of the Committee on Public Buildings on the part of this Board, be directed to cause the Superior (Criminal) Court room to be properly ventilated, at an expense not exceeding $2500, which sum, together with the amount already expended in repairs and alterations of the County Court House, does not exceed the sum of $5000—said expense to be charged to the County of Suffolk.

The order was read a second time and passed.

Alderman Talbot, from the Committtee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

ORDERS PASSED.

On motion of Alderman White:

Ordered, That the Committee on Health be and they are hereby requested to cause two public urinals to be constructed on the southerly end of the Court House in Court square, on the easterly and westerly corners, at an estimated cost of $1000 each; and that the same be charged to appropriation for health.

Ordered, That the Superintendent of Health abate a nuisance rear of Salem street and on Endicott street.

On motion of Alderman Seaver,

Ordered, That the Committee on Public Buildings be authorized to repair and paint Faneuil Hall Market House, the expense thereof to be charged to the appropriation for Public Buildings.

On motion of Alderman Pratt,

Ordered, That the Chief-of-Police be and he is hereby directed to notify Messrs. D. B. Brooks & Brother, No. 55 Washington street, to remove the shade in front of their premises within ten days, the same being an obstruction to the lighting of the streets.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Orchard and in Eustis streets, and report a schedule of the expense to this Board, pursuant to law.

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Cabot street, from Culvert street to Linden park, and in Vernon street, between Cabot and Belmont streets, and report a schedule of the expense to this Board.

ORDERS OF NOTICE.

On the petition of Patrick McAleer for leave to place a steam engine in building No. 15 Province street. Hearing Monday, June 21, 4 P. M.

On the proposed construction of a sewer in Cedar street, between Highland street and Lambert avenue. Hearing Tuesday, June 8, 4 P. M.

On the proposed construction of a sewer in Mt. Pleasant avenue, between Dudley and Vine streets, and in Forest street, between Mt. Pleasant avenue and Vine street. Hearing Tuesday, June 8, 4 P. M.

On the proposed construction of a sewer in Roeville street. Hearing Tuesday, June 8, 4 P. M.

On the proposed widening of Federal street, between High and Broad streets. Hearing Monday, June 14, 4 P. M.

On the proposed widening of Harrison avenue, on notice of Russell Scott of intention to build. Hearing Monday June 14, 4 P. M.

Adjourned to Tuesday, June 8, 4 P. M.

# CITY OF BOSTON.

## Proceedings of the Common Council,

### JUNE 3, 1869.

The regular weekly meeting of the Common Council was held this evening, at 8 o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The several petitions of assignees of Charles W. Griffiths, for abatement of tax; of Joseph Azarian, for damages for highway obstruction; of Cook, Jordan & Morse, for the dredging of flats; and of Sarah Nicks, to be compensated for personal injuries, were referred in concurrence.

The report leave to withdraw on petition of E. A. Sanford to be compensated for impaired drainage on Middlesex street, was accepted, in concurrence.

The following orders were each read once:

Order to repair and paint Faneuil Hall Market House.

Order to pay C. F. Ellis $1000, in full for personal injuries received by him, Dec. 18, 1867, from a defect in Winter street.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to furnish tickets for passage over East Boston Ferries to such pupils of Ward 1, attending the Latin, English High, and Girls' High and Normal Schools, as may require them.

Order authorizing the payment of $1436 63 to Martin Hayes & Co., for work done on St. James Park.

Order to change the remaining crank signal boxes to automatic boxes, at an expense not exceeding $3300.

The order authorizing a loan of $3,000,000, in anticipation of the income of the present financial year, was passed, by a vote of 44 yeas, no nays.

The order to alter and enlarge Police Station No. 6, at an estimated cost of $13,000, being on its passage,

On motion of Mr. Flynn of Ward Seven it was laid on the table.

On motion of Mr. Ryan of Ward 13, it was

Ordered, That the Committee on Public Instruction be requested to visit the Primary School in Williams block, Dearborn District, and ascertain whether better accommodations are not required for the numerous pupils in that school.

Mr. Snow of Ward Eleven made a motion that the Council meet hereafter at 4 o'clock in the afternoon. He said he would not press the question, but offered it to get the sense of the Council, and ascertain whether it would not be more convenient for the members to meet in the afternoon, and avoid the evening session, with the extreme heat of the gas light.

Mr. Ingalls of Ward Twelve suggested whether the heat of the sun and the hot air of the afternoon would not be as bad as the gas light, especially on such a hot day as today.

Mr. Wadsworth of Ward Four opposed the motion, and expressed the hope that no change would be made in the hour of meeting until the Council adjourned over for the summer vacation.

Mr. Denny of Ward Ten objected also to a change, for it frequently happened that committee meetings were held at four o'clock in the afternoon. It would be much more inconvenient for him to attend meetings of the Council at that hour, and quite as uncomfortable as in the evening.

The motion was lost.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, JUNE 8, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff in the chair.

APPOINTMENTS MADE AND CONFIRMED.

Special police officers without pay, at the Coliseum, in the month of June—Gilman Tyng, Walter H. Sturtevant, Erastus E. Jeffrey, Calvin C. Wilson, James S. Young, Andrew S. Fisher, James M. Huggins, Charles E. Clapp, Wm. R. Richards, Thomas Nannery, William H. Scribner, Thomas E. Porter.

Wm. R. Tyler and 196 others, special police officers in June and July.

PETITIONS PRESENTED AND REFERRED.

Stephen Bowen and others, for the extension of the Grenville street sewer.

Benjamin Perkins, for the construction of a sewer in Highland avenue.

Severally referred to the Committee on Sewers.

Thomas Prendergast and others, that Leeds street be accepted and laid out as a public highway. Referred to Committee on Streets.

Charles L. Fraser and others, that the city would take charge of the clock on the church corner of Meridian and London streets. Referred to Committee on Clocks.

Wm. R. Watson, for appointment as an auctioneer, at 275 Hanover street. Referred to Committee on Licenses.

Henry Sayles and others, that the iron fence on Commonwealth avenue be continued to Clarendon street.

James A. Maynard, for postponement of order for him to furnish edgestones and lay sidewalks on Eutaw street.

American Watch Co., for leave to set telegraph poles on Western avenue.

Cochituate Water Board, that White and Brooks streets be graded.

John C. McDavitt and Michael Killilea and others, for suspension or revocation of order requiring them to lay sidewalks on Everett street.

Stephen G. Allen, that the wooden steps on passageway leading from Dartmouth street in rear of Tremont street be replaced by stone steps.

Severally referred to the Committee on Paving.

German-English School Association, for abatement of tax assessed on their property in 1867 and 1868. Referred to Committee on Assessors' Department.

James M. Gardiner, for compensation for a patent right used by the city in the construction of its Fire Alarm Telegraph. Referred to the Committee on Claims.

The following remonstrances were presented:

Eben Howes and others, against a change of the name or numbers of West Chester park. Hearing assigned to Monday next, 4½ o'clock, P. M.

Charles B. Hall and others, against a change of the name or numbers of Chester square. Hearing on Monday next, 4½ o'clock.

NOTICES OF INTENTION TO BUILD.

Frederick Balch, Commercial street, head of Constitution wharf; Gerrish & Lowry, 88 North Margin street; S. G. Chase, Webster street, near Lawrence street; I. & H. M. Harmon, Beacon street, west of Dartmouth street; T. B. Huntoon, 26 and 28 Woodburn street; C. P. Stetson, corner of Battery and Commercial streets; Joseph H. Bancroft, 121 Hanover street; C. Chipman & Son, 9 to 27 Hanover street; C. & G. Barker, 42 Beverly street; Thomas Dolan, 1048 Tremont street; Wm. M. Rumery, corner of Essex and Chauncy streets; James Sweetser, Saratoga street; Joseph J. Hosmer, 635 Tremont street; H. B. Stratton, Third street, between B and C streets; B. F. Deming, corner of Beacon and Exeter streets.

HEARINGS ON ORDERS OF NOTICE.

The several orders of notice on the proposed construction of a common sewer in Cedar street, between Highland street and Lambert avenue; on the construction of a sewer in Mount Pleasant avenue, northerly end, between Dudley and Vine streets, and in Forest street, between Mount Pleasant avenue and Vine street; on the construction of a sewer in Rockville place; also on the proposed widening of Bromfield street, by taking land of the Boston Wesleyan Association, were taken up, by assignment. No person appearing in either case, the reports were recommitted.

The hearing on the proposed widening of Eliot street was taken up.

James M. Keith appeared for the heirs of Jonathan Patten. The previous widening, he said, was in cutting off one estate belonging to those parties, and this proposed to cut off two more. Inasmuch as this was not a general widening of the street, and did not promote the public convenience, it was objected to the proposed measure. By this widening, there was no increased facilities for travel, which there would be in the widening of the whole street. The primary movement in this widening was from repairs on the Holmes estate, which have already been accomplished, and there was no special call for this widening at the present time. He objected further that the proposed widening was a wrong to the heirs of the Patten estate. By the widening which has already taken place, the corner estate was ruined, and for a year no settlement has been made, and no price can be obtained for the strip remaining, at all proportioned to that of the adjoining estate. The proposed widening will be a total destruction of this estate, as it was of the other already cut off. The heirs had been deprived of their means of living, and kept out of their money. Unless the entire widening is made, the public convenience is not met, and if the parties build as contemplated by the proposed widening, the building will be set back so far as to injure the property. Under the circumstances, it would be an act of injustice to these parties to cut off their estate, as proposed.

The report was recommitted.

COMMON COUNCIL PAPERS.

The following orders were passed in concurrence:

Order for Committee on Public Instruction to see if additional accommodations are not required for pupils in "Williams Block" Primary School.

Order for a temporary loan of three millions of dollars, in anticipation of revenue.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses to six newsboys, two boys as bootblacks, and one to sell popcorn. Accepted.

Alderman White also reported in favor of licenses to A. A. Childs to exhibit paintings and statuary at 127 Tremont street; to Samuel Turner, to give theatrical and other exhibitions at 119 Haverhill street; and to C. C. O'Donnell for leave to give a concert at Franklin Hall, June 11. Severally accepted.

Also for the transfer of wagon licenses, and licenses as innholders and victuallers. Accepted.

Alderman White reported in favor of licenses to Morris Brothers to give a concert in the building in St. James Park, June 11; to Dexter & Meeker, to exhibit statuary on the Back Bay; to L. A. Hitchcock, for a Museum of Art, near the Coliseum; to Rich, Hart & Trowbridge, to give concerts at the corner of St. James and Clarendon streets; to J. Cushing, to exhibit a sea-serpent rear of 248 Boylston street.

Alderman Talbot said he was opposed to granting any licenses to persons to give exhibitions near the Coliseum.

Alderman White stated that there would be no noise by the exhibitions to injure the concerts at the Coliseum. The committee had all been down to see these places and they could not see that any harm could be done. If the places proved to be noisy or injurious the licenses may be revoked at any time.

Alderman Talbot said the projectors of the Jubilee had expended $200,000 in the interests of peace and good order, and he should consider it an injustice to allow these exhibitions to be there. It would be drawing a great number of persons around, causing a disturbance, much to the injury of the proposed concerts.

Alderman Pratt believed it would be an advantage to grant the licenses, when there would be some means of regulating and controlling them.

Alderman Bradlee opposed granting licenses, for it was well known that the side shows at musters and other places become great nuisances. In a great enterprise like this there should be no such places about it. It would add to the dignity of the Peace Festival should the Board of Aldermen decline to give a license to these exhibitions.

Alderman Pratt thought the argument against granting licenses to be lucid, if there was any ground to stand upon. He would have these places under regulation rather than allow gambling or rum shops to be kept open in the vicinity of the Coliseum. In no other way could they have control of these exhibitions than by licensing them.

Alderman White stated in relation to Morris Brothers, that they had no purpose to give concerts in the afternoon, nor at any other time, should they prove to be an an annoyance. Their building was located at quite a distance from the Coliseum, as it was well understood, and their performances were not likely to create any annoyance.

Alderman Baldwin said that in a conversation with the originators of the Festival, he was satisfied that if the wishes of the Executive Committee were consulted, these licenses would be refused.

Alderman Richards inquired if the licenses were granted, whether it would be in the power of the committee to revoke them?

Alderman White replied that they could at any time.

Alderman Richards declared the booths in the vicinity of the Coliseum to be nuisances. The projectors of the Jubilee had got it up for a patriotic purpose, and they did not expect to make a cent by it; it was believed there would be a large gathering, which would redound to the national honor. These parties have not got a license, and by giving the licenses it will increase their chances of making money, and of extending the nuisances. He did not understand, however, that a license would be given to keep rum shops or gambling places.

Alderman Pratt again remarked that there would be no control over these places without a license being given them; yet if there is a decided opinion against granting licenses, he would not press the matter.

Alderman White expressed surprise that the Alderman from Ward Five should make so much opposition. He had asked him something about the matter, and it was replied that it was designed to report in favor of the licenses. If he had been opposed to the licenses, it would have been well that he should have said something about it, instead of talking about it to others, and opposing it here.

Alderman Talbot said it had been known from the start that he was opposed to the erection of these booths, and to the granting of licenses for exhibitions in that vicinity.

Alderman Richards said he did not speak of the matter as a member of the Committee on the Musical Festival, but as a member of the Board of Aldermen. He did not know the opinions of the members of that Committee, but believed that they should be protected as far as possible.

Alderman Rice said the committee would have prevented any of these exhibitions in the vicinity of the Coliseum, could they have done so.

Alderman Pratt said it was evident all of the Aldermen were of the same opinion relative to these exhibitions, while they had different ways of carrying them out. Believing that by a license they could better be controlled, he yet deferred his own opinion to others.

The yeas and nays were taken on the several reports, and the licenses were refused by a vote of 5 to 7, as follows:

Yeas—Fairbanks, Hawes, Rice, Van Nostrand, White.

Nays—Baldwin, Bradlee, James, Pratt, Richards, Seaver, Talbot.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman White, from the Committee on Health, reported leave to withdraw on petition of S. G. Cheever for removal of nuisance in Shawmut avenue, near Madison street, by the construction of a sewer. Accepted.

Alderman White also reported on the petition of the Bay State Brick Company for leave to build a stable on Stanhope street, that leave be granted. Accepted.

Also an order, which was passed, for the abatement of nuisances on Dove and Charles streets.

Alderman Talbot, from the Joint Special Committee on the Suffolk Street District, made a report that the surveys and plans of said district which they were authorized to make under an order passed January 15, 1869, are now completed, but before any recommendation can be made as to the best manner of proceeding to abate the nuisance caused by the impaired drainage, it will be necessary to have a special valuation of the property made, and estimates of the cost of raising the buildings and the grade of the territory. The appropriation of $4000 made last year for surveys and plans has been expended, and the Committee therefore request a small additional appropriation to procure the estimates. The passage of the accompanying order is recommended:

Ordered, That the Joint Special Committee on the Suffolk street district, so called, be authorized to make an appraisal of the value of the lands, buildings and other fixtures included within the district described in Section 1, Chapter 277, Acts of 1868, and also to procure estimates of the cost of raising the buildings and the grade of said lands, and any other information which they may require, at an expense not exceeding $2000, said sum to be transferred for that purpose from the Reserved Fund.

Read twice and passed.

Alderman Richards, from the Joint Special Committee on Public Buildings, who were directed to procure plans and proposals for erecting a Grammar School building on the lot of land owned by the city on the corner of Paris and Decatur streets, reported that they have attended to that duty, and find that it will cost to erect the said building according to the plans which have been approved by the Committee on Public Instruction, the sum of $90,000. They would therefore recommend the passage of the following orders:

Ordered, That the Committee on Public Buildings be authorized to erect a Grammar Schoolhouse on the lot of land owned by the city on the corner of Paris and Decatur streets, in Ward One, according to the plan approved by the Committee on Public Instruction, at a cost of $90,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $90,000, to be appropriated for the erection of a Grammar Schoolhouse in Ward One.

Read twice and passed.

Alderman Van Nostrand, from the Committee on the Assessor's Department, to whom was referred the petition of the assignees of Charles W. Griffiths, for abatement of tax, recommended that the petitioners have leave to withdraw. Accepted.

Alderman Van Nostrand, from the same committee, to whom was referred the notices from the Assessors that vacancies existed in their Board caused by the death of one of the First Assistant Assessors and also of one Second Assistant Assessor for Ward Four, reported that no further action is necessary. Accepted.

ORDERS PASSED.

On motion of Alderman Seaver,

Ordered, That the Joint Special Committee on the subject of the East Boston ferries be requested to ascertain and report the terms upon which the East Boston Ferry Company will dispose of their franchise and property to the city of Boston.

Ordered, That the Chief of Police be directed to notify Kingman Brothers & Co. to remove within ten days their projecting sign at No. 91 Summer street, and if they do not so remove it, that the Chief of Police be and is hereby authorized to prosecute them, according to law.

On motion of Alderman Richards,

Ordered, That the Committee on the Church Street District be authorized to raise and grade Tremont street between Pleasant street and the Boston & Albany Railroad bridge, according to the established grade of said street; also to pave said street with small granite blocks, the expense thereof to be charged to the Church Street appropriation, at an estimated cost of $20,000.

On motion of Alderman Pratt,

Ordered, That the Committee on County Accounts be and they hereby are authorized to contract with some suitable party or parties to arrange and classify, in such manner as the committee may direct, papers and indices in the Probate Court, which in the judgment of said committee may require such disposition, the expense thereof to be charged to the appropriation for the County of Suffolk.

On motion of Alderman White,

Ordered, That the Superintendent of Health be and he is hereby instructed to furnish J. M. Mullane, corner of Hunneman street and Harrison avenue, twenty loads of ashes, more or less, and to Charles T. Barry, on Alpine street, fifty loads of ashes, more or less, and that said Mullane and Barry be charged at the rate of fifty cents per load for such ashes, so delivered.

On motion of Alderman James,

Ordered, That the Superintendent of Streets be authorized to close Tremont street against the passage of vehicles, from Boylston street to the bridge over the tracks of the Boston & Albany Railroad, until the work of raising, grading and paving said street shall have been completed.

Ordered, That the Superintendent of Streets, under the direction of the Committee on Paving, be authorized to complete the widening of Dorchester street at the bridge over the tracks of the Old Colony & Newport Railroad, by extending the abutments and rebuilding the wing and retaining walls of said bridge. Also to build an iron bridge upon said abutments, at an estimated cost of $1200.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Warren avenue, from Berkeley street to Dartmouth street, to furnish edgestones and lay their sidewalks with brick.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Clarendon street between Tremont and Appleton streets, to furnish edgestones and lay their sidewalks with brick.

Ordered, that the Chief of Police be directed to notify the owners and abutters on Old Harbor street, to furnish edgestones and lay their sidewalks with brick.

On motion of Alderman Van Nostrand,

Ordered, That warrants be issued for the meeting of the legal voters of this city in their respective wards on Tuesday, the 22d day of June, instant, at 9 o'clock A. M. then and there to give in their ballots, "Yes" or "No," in answer to the question, "Shall an act passed by the Legislature of the Commonwealth in the year 1869, entitled 'an act to unite the city of Boston and the town of Dorchester' be accepted?" The polls to be kept open until six o'clock P. M.

Ordered, That 10,000 copies of the act "To unite the city of Boston and the town of Dorchester," together with the report of the Commissioners on the annexation of Dorchester to this city, and the reports of the Legislative Committee on the same subject, be printed for public distribution, and the expense charged to the appropriation for printing.

On motion of Alderman Talbot,

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized to purchase the balance of the estates on Way street left after the extension of Broadway, belonging to Samuel A. Way and Alice C. Driscoll, containing 962 square feet, at an expense not exceeding $5100, the same to be charged to the Broadway loan.

Ordered, That Avon street, from Tremont street to Washington street, be hereafter called Temple place, and that Avon street, between Washington street and Chauncy streets, be called Avon place.

Ordered, That there be paid to George W. Prentice, Trustee under the will of Samuel Woods, $5485 for land taken and damages occasioned by the widening of High street, under resolve of July 16th, 1867.

On motion of Alderman Talbot, an order was passed to apportion into three parts the betterment assessed upon the estate of the heirs of Jos. H. Thayer, for the opening of Avon street.

Alderman Talbot, from the Committee on Laying Out and Widening Streets, submitted the several orders necessary for the laying out, widening and extension of streets on Fort Hill, with the estimated cost of the same, as follows:

| | |
|---|---|
| Purchase street widening and grading | $226,601 05 |
| Hamilton street " " | 97,636 12 |
| Sturgis street " " | 212,404 50 |
| Hartford street " " | 76,087 50 |
| Washington avenue " " | 46,176 75 |
| High street, from Pearl street to Broad street | 93,536 85 |
| Pearl place, from Pearl street to Broad street | 22,470 00 |
| Wendell street grade | 7,700 00 |
| Washington square grade | 119,600 00 |

The orders were severally read once.

An order of notice was passed for a hearing of Central Wharf Corporation on a proposed construction of a sewer through Atlantic avenue, June 21, 4 P. M.

On motion of Alderman Hawes, the report and order for plans and estimates for a boiler-house and coal-shed for Charity Bureau on Bowker street, were taken from the table, and on a further motion the report and order were recommitted to the Committee on Overseers of the Poor, with instructions to ascertain and report whether accommodations for an Armory for the National Lancers can be furnished in connection with the boiler-house and coal-shed, without interfering with the institutions under the charge of the Overseers of the Poor.

Alderman Van Nostrand moved to take from the table the report and order to appropriate $3000 to the Roxbury Latin School. Carried.

In advocacy of the order, the mover said he voted against it on a former occasion through a want of information. The school was not of a sectarian character, and as it was open to pupils from all sections of the city, he hoped the order would pass.

Alderman Talbot said he was opposed to making appropriations for such a school, as a matter of principle. It was not the policy of the city to make appropriations to schools not under its control,—private schools, which were outside of the School Committee. He had no doubt that the trustees of this school would expend the money as judiciously as any other gentlemen, but it would be a bad precedent to vote the city funds for other than public schools, as there were many private institutions that might put in a claim for aid.

Alderman Richards stated that he voted against the order, but on understanding the matter better, should vote for it, on the ground of economy, many pupils attending the school who would otherwise attend the Latin School in this part of the city. The school was practically a public school.

Alderman Talbot said he understood that the school in Bedford street was not full, and that many boys were allowed to attend the school one year in advance, in order to keep up its numbers.

Alderman Seaver said he voted in the negative because he believed the school had funds enough to support it. He had always been familiar with the school, and knew that it had a large fund, and with a little aid now the fund would in a few years more than support it.

The order was passed, by a vote of 11 yeas to 1 nay—Alderman Talbot—and is as follows:

Ordered, That there be allowed and paid to the trustees of the Roxbury Latin School the sum of $3000, to be expended in such manner as they shall deem expedient, for the maintenance of said school; provided that said trustees shall make the annual report mentioned in the act of the Legislature concerning said school, approved April 13, 1869, said sum to be transferred for that purpose from the reserved fund.

Adjourned to 7½ o'clock.

On coming together in the evening, the Board went into convention with the School Committee, to fill vacancies in that Board. On concluding the business of the convention the Board adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## JUNE 10, 1869.

The regular weekly meeting of the Common Council was held this evening at 8 o'clock.

In the absence of the President the Council was called to order by Joel Richards of Ward Eight, the senior member, when a ballot took place for President *pro tem.*

Messrs. Gray of Ward Twelve, Rogers of Ward Fifteen and Tucker of Ward Six were appointed a committee to receive and count the votes for a presiding officer. The committee reported as follows:

Whole number of votes.....50
Necessary to a choice.....26
Francis A. Osborn.....24
G. C. Judson..... 8
Thos. L. Jenks..... 8
Joel Richards..... 4
James M. Keith..... 4
H. W. Pickering, Geo. E. Young, 1 each. 2

Mr. Keith requested that his name be not used in further balloting.

A second ballot resulted as follows:

Whole number of votes..... 50
Necessary to a choice.....26
Francis A. Osborn .....32
Thos. L. Jenks.....13
G. C. Judson..... 2
Winslow B. Lucas, Joel Richards, and J. H. Pote, 1 each..... 3

Mr. Osborn was declared elected, took the chair, and expressed his thanks for the respect shown towards him.

Mr. Gray of Ward Twelve moved a suspension of the rules, to enable him to move to take up from the table the order to alter and enlarge Police Station No. 6, at an estimated cost of 13,000.

Mr. Jenks of Ward Three raised a question of order that the records of the Council had not been read.

The Chair stated that under the amended rules it was not necessary to read the records unless called for.

Mr. Jenks asked that the records may be read.

Mr. Johnson of Ward Twelve moved that the Council adjourn. Lost.

Mr. Keith of Ward 15 moved that the reading of the records be dispensed with. Carried.

Mr. Jenks wished to know whether it was not a privilege of a member to have the records read.

The Chair replied that the matter was entirely in the hands of the Council, which might decide at any time whether or not the records should be read.

The motion for a suspension of the rules was carried, when it was voted to take up the order referred to.

The order was passed by a vote of 49 yeas, no nays.

### PAPERS FROM THE BOARD OF ALDERMEN.

Petitions from the Board of Aldermen were referred, in concurrence.

The following reports were accepted in concurrence:

Report leave to withdraw on petition of the assignees of Charles W. Griffiths for abatement of a tax.

Report that no further action is necessary on the notices from the Assessors concerning the vacancies existing in their Board.

The order authorizing the purchase of the balance of the estates on Way street, left after the extension of Broadway, belonging to S. A. Way and A. C. Driscoll, was read once.

The following orders were read twice and passed:

Order for the Committee on the East Boston Ferries to ascertain the terms on which the East Boston Ferry Co. will dispose of their franchise and property to the city.

Order that the report and order from the Committee on the Overseers of the Poor relating to a boiler-house and coal-sheds for the Charity Bureau be recommitted, with instructions to ascertain whether accommodations for an armory for the National Lancers can be furnished in connection with such house and sheds without interfering with the institutions under the charge of the Overseers.

Order authorizing the Committee on the Church Street District to raise the grade and pave Tremont street between Pleasant street and the Boston & Albany Railroad bridge.

Order that ten thousand copies of the Act to unite Boston and Dorchester, together with the reports of the Commissioners and the Legislative Committees on the subject, be printed for public distribution.

The order authorizing the Committee on the Suffolk Street District to appraise the lands, buildings and fixtures on the district described in Sec. 1, Chapter 277, of the Acts of 1868, and to procure estimates of the cost of raising the buildings and grading the lands, and such other information as they may require, at an expense not exceeding $2000, was passed by a vote of 42 yeas, 1 nay.

The report and order to pay the Trustees of the Roxbury Latin School $3000, to be expended as they shall deem expedient for the maintenance of said school, was read once, and the question being on its passage,

Mr. Keith of Ward Fifteen said he wished only to say a single word on this subject. Much of the argument in favor of this measure is to be found in the report of the Committee. There had been a mistaken impression in the Board of Aldermen that this was a sectarian school, but it was far otherwise, and there was no foundation for such an impression. The school was of great excellence, and on account of its character many pupils were now attending it from other portions of this city, greatly relieving the Latin School of this city.

Mr. Keith stated the circumstances under which the school was founded, a large amount of land having been given for its endowment. This land was under leases for a great length of time, and some of them as long as ninety-nine years, at a very small sum. Many of them have nearly expired, and the land in some cases is worth at least fifty cents a foot. When renewed the fund for the support of the school will be much increased, and enable the trustees to enlarge its bounds. This school needs but temporarary assistance, and the fund will soon give it an ample support. The building is now in need of painting and repairs, and additional reference books are required.

Mr. Jenks of Ward Three said he should be compelled to vote against the order. By its passage it would be the opening of a door for appropriations to other than public schools, and other private schools will ask for aid from the City Council. If one is aided, then another and another will expect it, with a tendency to sectarianism, until our system of public schools will be broken up. If the school had not sufficient funds for its support, its friends should make it up by subscription.

Mr. Pickering of Ward Fourteen thought there was no danger to be apprehended, as stated by the gentleman from Ward Three. The school was to all purposes a public school, open to all scholars, and even before annexation was availed of as such. It was true it was managed by Trustees, as that was the method determined on when it was founded. It might in fact be said to be a branch of the Boston Latin School. He repeated that the school was virtually a public school, and he hoped the order would pass.

The order was passed by a vote of 40 yeas to 1 nay—Mr. Jenks.

Report and orders authorizing the erection of a Grammar Schoolhouse on the city's land at the corner of Paris and Decatur streets, in Ward One, at a cost of $90,000, and that the Treasurer be authorized to borrow said sum to be appropriated therefor, were read once.

### UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to repair and paint Faneuil Hall Market House.

Order to pay C. F. Ellis $1000, in full for personal injuries received by him, Dec. 18, 1867, from a defect in Winter street.

### REPORTS OF COMMITTEES.

Mr. Young of Ward One, from the Joint Standing Committee on Water, to whom was referred the communication from the Cochituate Water

Board requesting authority to contract with the Mystic Water Board of Charlestown to supply water to East Boston from Mystic Pond, having considered the subject, respectfully recommended the passage of the accompanying order:

Ordered, That the Cochituate Water Board be and they are hereby authorized to contract with the Mystic Water Board, or the city of Charlestown, for supplying Ward One (East Boston) with water from Mystic Pond, upon such terms and conditions as the said Cochituate Water Board may deem expedient, subject to the approval of His Honor the Mayor.

The order was read once.

ORDERS.

Mr. Keith of Ward Fifteen, offered the following:

Ordered, That the Committee on Printing be instructed to obtain, if practicable, the assent of his Honor, the Mayor, to the publication of his manuscript relating to the history and topography of the city of Boston and its harbor; and if such assent can be obtained, to cause 1000 copies of such manuscript to be printed for the use of the city, the expense, thereof to be charged to the appropriation for incidental expenses.

Mr. Keith, in explanation, and in support of the order, stated that the Mayor had in his hands a manuscript history of the city and its harbor, the result of many years' labor. From his antiquarian research and careful investigation, the acquisition of such a history would be a very valuable contribution to the subject, which no labor otherwise could procure. It is now in that condition, in a condensed form, to be used to advantage. In conversation with the Mayor a few days since on the subject, he was satisfied that a request of the kind proposed would be acceded to, and the results of his labor would be placed in a permanent form. But few people, indeed, could have performed such a labor, and the opportunity should not be lost of availing ourselves of the benefit of it.

Mr. Wells of Ward Three moved a reference of the order to the Committee on the Harbor, as a proper disposition of it.

Mr. Keith opposed the reference, believing it more appropriately belonged to the Committee on Printing. He could not see the necessity of such a reference. If gentlemen were not prepared to vote for it, he had no objection to its lying over.

The motion of Mr. Wells was lost, when the order was read once.

Mr. Flynn of Ward Seven offered the following order:

Ordered, That the Committee on Claims, in investigating the alleged claim of Charles Burrill vs. the city of Boston, be instructed to inquire whether or not Mr. Burrill did furnish the number of men which he claims?

Second, Whether or not some of these identical men were not also credited to and paid for by other towns or cities in this State?

Third, Whether or not some of these identical men were not also credited to and paid for by other States, or towns and cities within said States?

Fourth, Whether or not suits at law are now pending between Mr. Burrill and other towns and cities for the identical persons alleged by him to have been furnished to the quota of Boston?

And that said Committee be authorized to send for persons and papers to satisfy said inquiries.

The order was read once.

Mr. Keith objected to the passage of such an order, which would in effect take the matter out of the hands of the Committee, and dictate to them the course which they should pursue in their investigation. If after making an investigation their report is not sufficiently full, they may be instructed, as proposed. Until a report was made he should consider the action as premature.

Mr. Jenks of Ward Three thought the gentleman had mistaken the terms of the order. The order did not dictate to the committee, but was designed simply to aid them in their investigations. He wished to move an amendment, which he indicated, and was requested to put it in writing.

Mr. Wells of Ward Three, in support of the suggested amendment, stated that 400 dead men were credited to the quota of Ward Three.

Mr. Denny of Ward Ten said the committee could not avoid investigating the very matters contained in the proposed questions, if they did their duty. While there might be no harm done by the order, the action proposed was superfluous.

Mr. Flynn, in explanation, said he had intended offering the order some months since, having some knowledge of the matter. Since the matter had been referred to the Committee he had understood that the counsel of Mr. Burrill did not desire an investigation at present, and he wished the inquiries to be made before the parties who have a knowledge of the matter are out of the way.

The amendment of Mr. Jenks was adopted, as follows:

"And that such committee further inquire whether or not at the time said Burrill claims to have obtained credits for Boston's quota, how many of the men were at that date dead, for which he claimed an allowance?"

As amended the order was passed.

On motion of Mr. Tucker of Ward Six it was ordered that when the Council adjourn, it be for two weeks.

Adjourned to Thursday evening, June 24, at 8 o'clock.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, JUNE 14, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Four grand jurors and three petit jurors were drawn for the United States District Court.

APPOINTMENTS MADE AND CONFIRMED.

*Special Police Officers.* One hundred and thirty-six persons as special police officers for the present week.

Peter Crowley, for duty at Lewis wharf; Samuel Wilson, Jr., for duty at the Coliseum; Henry C. Bliss, for duty at north side of Faneuil Hall Market; James M. Andrews and Reuben Hewes, for duty at Gallop's Island—special police officers without pay.

PETITIONS PRESENTED AND REFERRED.

Henry M. Mann & Co., to be paid for damages sustained by the widening of Hanover street.

Donald Kennedy and others, against the widening and grading of Warren street.

Thomas M. Howard, to be compensated for damages to his well, caused by the widening of South Cedar street.

Jesse Tirrill & Co. and others, that the building on the Macomber estate on Federal street be set back or cut off.

Severally referred to the Committee on Streets.

Winthrop Railroad Co., for a renewal and confirmation of location, &c.

Wm. M. Flanders and others, that the gutters in Edinboro' street be paved, and roadway macadamized.

Dyer & Gurney and others, that sidewalks be laid in Marion street.

S. T. Snow and others, that stone steps be substituted for wooden ones, in passageway from Pembroke to Newton streets, in rear of their estates.

F. J. Baxter, for leave to move a building across Charles street.

Rebecca V. Thompson and others, that the name of South Cedar street be changed to Winchester street.

George R. Coffin and others, that Copeland street be graded.

Severally referred to the Committee on Paving.

M. W. Ward, and others, that a nuisance on Heath street be abated.

A. D. Hodges and others, relative to a nuisance in Cliff street. Severally referred to the Committee on Health.

Joseph G. Torrey, and others, that a common sewer be laid in the westerly part of Winthrop street. Referred to Committee on Sewers.

D. K. Prescott, for leave to exhibit a double headed girl.

John Kelley, for leave to exhibit natural curiosities at No. 11 State street. Severally referred to Committee on Licenses.

Lizzie Garrison, for leave to hold public meetings in streets or public places.

George Hardy, for leave to preach on the Common. Severally referred to Committee on Common, &c.

NOTICES OF INTENTION TO BUILD.

Michael Mulvee, Chadwick street, between Hampden and Yeoman streets; Horace Partridge, 27 to 31 Hanover street; D. H. Jacobs, 83 and 85 Commercial street; Thomas Whalen, 16 Chadwick street; Charles Millmore, Cabot street; J. & W. R. Cavanagh, D street, between Eighth and Baxter streets; W. A. & S. G. Low, Old Harbor street; Stephen Podesta, Green street; Samuel L. Cleaves, White street, between Marion and Brooks streets; Dr. R. Provan, Broadway, between E and F streets; J. W. West, First street, between Federal and Granite streets; D. F. Lord & Son, corner of Parkman and White streets; S. M. Allen, Beach Glen and Fort avenues; E. M. Montague, Piedmont and Church streets; James Downey, Chelsea street; John Lamb, Lenox street, between Shawmut avenue and Tremont street; N. J. Bradlee, 144 Tremont street. Severally referred to the Committee on Streets.

VACANCIES IN SCHOOL COMMITTEE.

A communication was received from the School Committee, proposing a Convention on Tuesday, July 13th, at 8 o'clock, to fill vacancies in that Board, occasioned by the death of Calvin G. Page of Ward Six, and the resignation of Edwin Briggs of Ward Twelve. The proposed Convention was concurred in.

AUDITOR'S MONTHLY EXHIBIT.

The monthly exhibit of the Auditor of Accounts was laid before the Board, presenting an exhibit of the General and Special Appropriations for the present financial year of 1869–'70, as shown in the books in his office, June 1, 1869, including the June draft, being two months' payments of the financial year, exhibiting the original appropriations, the amount expended, and the balances of each unexpended at that date. A recapitulation gives the following result:

| | Appropriations, Revenues, etc. | Expended. | Unexpended. |
|---|---|---|---|
| General..... | $8,711,976 10 | $773,267 39 | $7,938,708 71 |
| Special..... | 3,134,737 56 | 287,643 99 | 2,847,093 57 |
| | $11,846,713 66 | $1,060,911 38 | $10,785,802 28 |

Ordered to be sent down.

ADDITIONAL APPROPRIATION FOR CHESTNUT HILL RESERVOIR.

COCHITUATE WATER BOARD OFFICE,
January 14, 1869.

*To the City Council of the City of Boston:*

The Cochituate Water Board are again under the necessity of asking for the further sum of five hundred thousand dollars for the construction of the Chestnut Hill Reservoir. When the last appropriation was passed, we supposed, from the estimates made by the City and Resident Engineer, that it would be ample to complete the work. Contingencies have, however, arisen, which neither they or we could have anticipated, which have largely increased its cost, but not sufficient to account for this large amount. We are also aware that it is very difficult in a work of this magnitude, and one not of an every-day occurrence, to make an accurate estimate, but we do not think there was sufficient care exercised on the part of the engineer in estimating the quantities of the various kinds of labor to be performed.

The contingencies referred to, which were not estimated upon, have been, First, the building of a new water-tight dam, or puddled embankment, between the upper and lower basin; a work that became necessary for the purpose of protecting the aqueduct and embankment, as the pressure of the water in the upper basin had already crushed the conduit, and the water was working its way through the embankment. A too great regard for economy of construction, together with error of judgment, was the cause of the defect; and although all the large reservoirs which have been built have passed through similar experience in different parts of their works, we were in hopes to have been the exception.

The second large item of extra cost was on the foundation of the Effluent Gate House, where we struck a vein of quicksand running to the depth of twenty-one feet. This of course had to be removed so as to make the reservoir water-tight, which has been a very tedious and expensive job, requiring two steam pumps to be kept in constant operation day and night to keep the trenches free from water during the removal. When it was about half completed, the great freshet of February 15th occurred, causing a delay of several weeks and adding largely to its cost.

The third item of expense was the addition of one quarter of an inch in the thickness of the pipes for the forty-eight inch main. This was deemed necessary from information obtained from the Croton and Fairmount Water Works, both of these companies having used a large number of this size pipe.

The original appropriation for this main was two hundred and fifty thousand dollars. The cost of the additional thickness, together with the gates, gate chamber, excavations and laying of the pipes, including land and land damages, will not be less than three hundred thousand dollars.

When it was ascertained that the appropriation already made was in no way adequate to complete the work, the following note was sent to the City Engineer:

BOSTON, May 1, 1869.

*N. Henry Crafts, Esq., City Engineer:*

Dear Sir—The Cochituate Water Board learn with deep regret that the estimates furnished us by you are in no way accurate, and that the appropriation asked for, based upon those estimates, is nearly exhausted. We had prided ourselves in being extra careful in submitting those figures to the City Council, and to be again obliged to call upon them for so large an amount as we anticipate will be necessary to complete the work (judging from what has been done) is extremely mortifying to us. We know that contingencies have arisen not estimated upon, which have added largely to its cost, but in no way sufficient to account for this great discrepancy, and we hope you may be able at an early day to explain to our satisfaction, as well as to the City Council, the cause of this error, together with reliable estimates for the completion of the work.

Very truly yours,

NATH'L J. BRADLEE,
President Cochituate Water Board.

It will be seen by the very full report of the City and Resident Engineers in reply to the above communication, which is hereunto annexed, that they have very thoroughly examined the estimates given by them in June, 1868, and those now presented, with their explanation as to the cause of the discrepancies, to which we would call your attention. The appropriations already made on account of land, construction, forty-eight inch mains, and the driveway, have been as follows:

| | |
|---|---|
| For land | $110,000 |
| Construction of reservoir | 1,340,000 |
| Forty-eight inch mains | 250,000 |
| Driveway | 160,000 |
| | $1,860,000 |

The total cost to June 1st, 1869, has been as follows:

| | |
|---|---|
| Labor | $692,762 72 |
| Teaming | 365,655 39 |
| Cast iron pipes, lead, &c | 184,560 11 |
| Land, taxes, rent, &c | 120,035 34 |
| Gate, houses, gates, &c | 87,644 31 |
| Slope wall | 59,287 68 |
| Engineering, clerks and superintending | 38,831 67 |
| Stone | 33,496 43 |
| Buildings, lumber and carpentering | 30,563 31 |
| Bricks | 25,568 89 |
| Stopcocks | 20,175 00 |
| Clay for puddling | 19,865 06 |
| Sundries | 14,674 12 |
| Cement, sand and carting | 13,751 19 |
| Pumps, engines and repair | 10,655 70 |
| Iron castings, drain covers, &c | 10,275 43 |
| Drain pipe | 10,207 72 |
| Shovels, picks and tools | 8,889 85 |
| Coal | 5,661 76 |
| Piles and driving | 4,113 83 |
| Flume | 3,651 54 |
| Paving | 2,203 04 |
| Total | $1,762,530 65 |
| Balance on hand June, 1869, construction | 59,920 92 |
| Balance on hand June, 1869, driveway | 37,549 03 |
| Total | $1,860,000 00 |

It will be seen that the figures vary from those given by the City Engineer, as his are made May 1st and the above to June 1st.

The estimate of the City Engineer for completing the work is $422,895 60 over and above the balance on hand; but from the experience of the past we believe the amount will fully reach $500,000.

Having herewith submitted for your consideration all the facts which have come to our knowledge, we earnestly request that a portion if not the whole of the appropriation asked for may be passed with as little delay as possible, or the work on the Reservoir will have to be suspended.

Respectfully submitted.

Signed by all the members of the Board.

The communication was laid on the table and ordered to be printed.

REPORT OF BOARD OF DIRECTORS FOR PUBLIC INSTITUTIONS.

The twelth annual report of the Directors of Public Institutions was laid before the Board in print. Carefully prepared statements are given, presenting in detail the expenditures of the several institutions. The principal items of the expenditures are as follows;

*House of Correction*—Subsistence for officers. $6940 46; for inmates $21,696 52; salaries $12,737 69; clothing and bedding $10,087 42; fuel and lights $8687 67; repairs and alterations $7996 96—total $79,920 03.

*House of Industry.* Subsistence of officers, $9,999 19; of inmates, $45,740 90; clothing and bedding, $17,929 43; salaries, $16,038 35; fuel and lights, $14,048 07; repairs and alterations, $8418 50; agricultural department, $5650 73; furniture and utensils, $3360 67—total, $126,878 08.

*Lunatic Hospital.* Subsistence of officers, $6,142 24; of inmates, $16,335 06; salaries, $11,333 39; clothing and bedding, $5077 28; repairs and alterations, $4602 87; fuel and lights, $4172 88; furniture and utensils, $3483 13; medical department, $1557 87—total, $57,910 84.

A recapitulation gives the entire expenses, as follows:

| | |
|---|---|
| House of Correction | $ 79,920 03 |
| House of Industry | 126,878 08 |
| Lunatic Hospital | 57,910 84 |
| Steamboat Henry Morrison | 11 672 33 |
| Office expenses | 6,793 11 |
| Pauper expenses | 9,492 19 |
| Quarantine Department | 4,946 25 |
| Total | $297,612 83 |

The items of expenditure for Houses of Correction and Industry and Lunatic Hospital are classified as follows:

Subsistence, $106,854 37; salaries, $10,109 43; clothing and bedding, $33,094 13; fuel and lights, $26,908 62; repairs and alterations, $21,018 33; agricultural department, $9818 58; furniture and utensils, $8105 02; sewing machines and trimmings for contract work, $5443 44; medical department, $3744 97; soap and soap stock, $2659 05; printing and stationery, $1042 88; miscellaneous, $5910 13;—total, $261,708 95.

The income of the several institutions was as follows:

House of Correction, $62,952 62; House of Industry, $18,697 94; Lunatic Hospital, $8161 04; Quarantine Deppartment, $2877 39; steamboat Henry Morrison, $2050; pauper expneses, $1095 23—total, $95,834 24.

The income exceeds that of the previous year by $18,363 50; less $3542 56 in the Lunatic Hospital, and more by $21,906 06 in the other institutions. This income is by labor in the House of Correction, $60,470 40; labor in House of Industry, $8216 79; board of patients in Lunatic Hospitals, $7861 06, which make up the larger amount. The actual cost is shown to be, deducting income, $201,778 59. The increase of expenditures over 1867-8 was $22,665 77; actual expense, $4302 27. The increase in the House of Correction was $9154 27; House of Industry, $8835 97; Lunatic Hospital, $3047 56; office expenses, $1265 55; Quarantine Department, $2660 41.

The special appropriations during the year have been $48,000 for a new workshop at the House of Correction, and $30,000 for building a new school for the pauper girls at Deer Island. Nearly all of the appropriations for the workshop have been expended, and but a small portion for the school. The expenditures on account of the new Lunatic Hospital have amounted to $1975 24, of which amount $1009 35 was for collations to the City Council and to Committees of the same, and to the Association of Medical Superintendents of American Hospitals for the Insane.

The average number of inmates for the year was as follows:

House of Correction, 445; House of Industry, 431; Almshouse, 263; House of Reformation (boys), 261, girls, 36; Lunatic Hospital, 187; total, 1623, or an increase of 254 over the previous year. The increase was—House of Correction, 56; Industry, 62; Almshouse, 35; boys, 86; girls, 3; Hospital, 12.

The average actual cost was per week, in House of Correction, 73 cents. House of Industry, Reformation and Almshouse, $2 10; Hospital, $5 12. This is based on expenditures, less amount of income

paid into the city treasury, not accounting for extraordinary expenses or interest on cost of buildings.

The report states that there is a continued increase in the number of inmates of the public institutions which keeps pace with the growth of the city, and only by the strictest economy in the management of the expenditures, and employment of all the pauper and prison labor, can we hope to keep the cost of maintenance within moderate bounds. In this connection it is stated that the several superintendents merit our continued confidence for their energy and fidelity in the discharge of their arduous duties. Regret is expressed at the loss by death of Francis C. Manning, a member of the Board, justly held in high esteem, who was a useful and zealous laborer in every measure of a charitable nature, and conscientious in the discharge of his public duties.

Attention is invited to the reports of the Superintendents of the various institutions and to the changes which have taken place in the localities of them. More room is required in all of them, while the Lunatic Hospital is in a more crowded condition than either of the others. In this institution more patients are provided for than in the elaborate and extensive conveniences of the Asylum at Somerville. In addition to the call for a new hospital for the insane, the Board are contemplating the application for a separate building for an Almshouse, where the unfortunate poor may be free from the association of the vile and dissolute. Particular reference is made to the condition of the several institutions.

*Deer Island.* The institutions are all in the full tide of success. There has been a freedom from sickness during the past year, of any contagious nature, and there is an air of cheerfulness and comfort among the inmates which augurs well for the institutions. The buildings are kept in good repair, and the farming operations promise a fair return. Guy C. Underwood, the superintendent, seems to have infused his energy into the various departments, and there is a corps of under officers who are efficient and useful. Sewing machines, operated by steam power, have been introduced in the female wing of the House of Industry, and their labor is profitable. Pauper inmates, many of whom are infirm, can accomplish but small results as laborers, yet there is an amount of light work which they can do to advantage, and thus assist in the operations of the institutions.

There is a growing necessity for a new almshouse at the island and a separate building for the poor must soon be provided. The new schoolhouse for pauper girls will be ready for occupancy early in the fall. The building of a sea wall on the side of the island near the steamboat landing, is commended to the attention of the City Council, much of the work on which may be done by the labor of inmates, and prove to be useful in several respects. The Reformation Schools are in a good condition.

*Lunatic Hospital.* On this subject considerable space of the report is occupied, and the great necessity of a new hospital is strongly urged. The dangers from mixing together persons of every description of mania, to their own detriment, and the greater care and watchfulness required, the further danger to the lives of the inmates by the want of proper staircases, and the possible fearful catastrophe in the burning of the building or of collisions among the inmates, are set forth as urgent reasons for immediate measures to provide a better building. The commendable exertions of Dr. Walker in providing for the comfort of those under his care, particularly under the limited means at his command, it is said cannot be too highly appreciated.

The report of the Superintendent shows that 87 were admitted to the Hospital, and 64 were discharged, leaving 202 — 109 men, 93 women — a greater number, by 23, than last year. Of the discharges, 20 had recovered, 10 were more or less improved, 8 not improved, and 26 died. The deaths were from exhaustion, paralysis, apoplexy and consumption mainly. The Superintendent says of their straitened condition:

"All attempt at classification was long ago abandoned. With our present means, it is simply impossible, We can only put those together who will in the least degree annoy each other. No possible enlargement here can avail anything in this particular. To fully appreciate the magnitude of this evil, it is needful to witness the disgust involuntarily exhibited, and to listen to the earnest appeals for relief made daily by the better class of patients. That serious injury is constantly wrought by this condition of affairs, must be apparent to the careless observer. At the present rate of increase, any further accommodations, it may be found possible to make here, will be used as soon as furnished, and the slight relief gained thereby will be as transient as unimportant."

*House of Correction.* Attention is called to this institution with pride, upon its most efficient condition The prisoners are able to accomplish much, and prison labor is in demand. The new workshop has been completed and is in full operation. A new wooden shop and laundry where the old wooden buildings now stand, will soon be required. Further provision is needed in the supply of cells. The libraries of the various institutions have been sustained at a small outlay and from friendly contributions. Attention is called to the fact that many books on hand, out of use or thrown aside, would be acceptable in filling these libraries.

*Almshouse.* In the Almshouse, as appears by the report of the Superintendent, the largest number during the year was 336; there were 54 deaths, —men, 28; women, 20; boys 4, girls, 2. The whole number discharged during the year was 490; admitted, 506; there were 68 boys and girls admitted, and 50 discharged.

*House of Reformation.* Number committed during the year was 184 boys, 25 girls; discharged, 132 boys, 16 girls; remaining, 272 boys, 42 girls. The offences were—vagrancy, 93; truancy, 90; larceny, 20; stubbonness, 4; idle and dissolute, 2. The boys' department is very much crowded.

*House of Industry.* The commitments during the year were 1134 males, 1797 females; discharged, 1090 males, 1788 females; remaining, 178 males, 213 females. Of these, 1753 were for non-payment of fines and costs, 515 on sentences of two months, 272 of three months. The fines and costs of 201 prisoners have been paid, amounting to $1950 15. The average gain on weight of prisoners on their discharge over their admission is 6½ pounds for men and 9½ for women. The number of deaths was 7 males, 2 females. The products of the farm showed good results.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the petitions of the Metropolitan Railroad Company for a location of their track on Harrison avenue, from Dover street, to connect with their track on Eustis street; on the proposed widening of Harrison avenue, on the intention of Russell Scott to build; and on the proposed widening of Federal street, between High and Purchase streets, were severally taken up for consideration. No person appearing in either case, the reports were recommitted.

The hearing on the petition of John Ritchie and others that one uniform name be given to East and West Chester park, and Chester square, and the remonstrants against the same, was taken up, and postponed for one week.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Report and order for Committee on Public Buildings to build an addition to house of Hook and Ladder Company No. 4, at a cost of $3000.

Resolves and orders to lay out or to widen Ward street by taking 139 square feet of land, at a cost of $100.

Resolves and orders to lay out or to widen Copeland street by taking 5960 square feet of land, at a cost of $2381.

On motion of Alderman Talbot, the several orders for laying out, widening and grading streets on Fort Hill were laid on the table.

COMMON COUNCIL PAPERS.

The following orders were passed in concurrence:

Report and order for enlargement of Police Station No. 6. at a cost of $13,000, to be transferred from Reserved Fund.

Order for Committee on Claims to inquire,

1. Whether Mr. Burrill furnished the number of men to the city's quota which he claims.

2. Whether some of these men were not also credited to other towns and cities in this State.

3. Whether some of these men were not credited to towns and cities in other States.

4. Whether suits are not now pending between said claimant and other towns and cities for men so furnished to Boston.

5. Whether many of said men so furnished, as alleged, were not already dead; and that said Committee have power to send for persons and papers.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of the petitions severally, for licenses to W. H. Lingard, to give an exhibition at Selwyn's Theatre; to Mrs. M. J. Mooney, to give concerts at Mercantile Hall, June 15, 16 and 17; and of Dexter Smith, to give concerts at Music Hall. Accepted.

The same committee also reported favorably on licenses to four newsboys, and two boys as bootblacks, and for the licensing of sundry persons as innholders, auctioneers, for intelligence offices, and for transfer of wagon licenses. Severally accepted.

The Committee reported leave to withdraw on petition of Winans, Eno & Co. for leave to exhibit the "Steam King" on Boylston street. Accepted.

Alderman Fairbanks, from the Committee on Sewers, reported leave to withdraw on the petition of Stephen Bowen, for an extension of Grenville street sewer; and no action necessary on the petition of Charles H. Bieler and others for the opening and cleaning of the Broadway sewer from C to D streets. Accepted.

Alderman James, from the Committee on Paving, reported no action necessary on the petition of John L. Hunnewell and others. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Richards, from the Joint Standing Committee on Public Buildings, respectfully represented that there will be needed for the completion of the Ward Room in Ward Nine and Hose House No. 8 an additional appropriation of $2000. The original appropriation for this building was $20,000, of which amount there has been expended for carpentry, $7504 49; masonry, $10,390; plans, specifications, &c., $1022 10; ventilators and vane, $477 25; fitting up hose tower, manure tanks, $421 59—total, $19,815 13.

There will be required for extra filling, bank walls and foundations, $1500; heating apparatus and plumbing, $500—total, $2000.

Your committee would therefore respectfully recommend the passage of the following order:

Ordered, That the Auditor of Accounts be authorized to transfer the sum of $2000 from the Reserved Fund to the appropriation for Ward Room, Ward Nine, and Hose House No 8.

Read twice and passed.

Alderman Talbot submitted the following report.

Whereas, Mary S. T. Macomber, wife of Wm. Macomber, and Jeremiah Brown, have neglected to remove the portions of their buildings on Federal street, projecting over the line of widening of said street, as established by a resolve approved June 6, 1868, it is therefore hereby

Ordered, That due notice be given the said Mary S. T., wife of Wm. Macomber, and the said Jeremiah Brown, and all other persons or parties interested, that the Board intends to so move back the buildings on the estates belonging to them that no portions of the same shall project over the said new line of Federal street, and that Monday, the 28th day of June, at 4 o'clock, P. M., is assigned as the day for hearing any objections which may be made to such action on the part of this Board.

On a petition for the closing of the markets, Alderman Seaver offered the following order, which was passed:

Ordered, That the Superintendent of the Market be directed to close the Faneuil Hall Market houses at 12 o'clock M., on the 16th and 17th inst.

A communication was received from Major Jones, State Constable, stating that several persons keeping booths near the Coliseum had been prosecuted and convicted for selling liquors, whereupon Alderman Seaver presented the following, which was passed:

Whereas, It appears to this Board that certain booths or sheds in the vicinity of the Musical Festival Building on St. James park, so-called, are occupied and used for the purpose of the sale of spirituous or fermented liquors, by Otis Soule, Francis A. Chase, Nathaniel Curtis, Edward Wheeler, Frank P. Martin, and Samuel Gotlieb; it is hereby

Ordered, That the Chief-of-Police be directed to notify each of the above persons to vacate his booth or shed and to close the same forthwith; and the said Chief-of-Police is further ordered, in case of a non-compliance by any of said occupants of booths or sheds to close the same as directed, to pull down, remove or destroy said booths or sheds as a nuisance to the neighborhood.

ORDERS PASSED.

On motion of Alderman Richards,

Ordered, That the Ward Room of Ward Fifteen be established, until otherwise ordered, in the new Station House building on Pynchon street.

On motion of Alderman James,

Ordered, That the Chief of Police be directed to notify the owners and abutters on Marion street, from White to Bennington streets, to lay their sidewalks with brick.

On motion of Alderman Talbot,

Ordered, That there be paid to Alice C. Driscoll $5000, for land taken and damages occasioned by the extension of Broadway, by a resolve approved May 3, 1869.

Ordered, That there be paid to Lemuel Shaw and Henry G. Denny, executors and trustees under the will of Alfred L. Baury, $17,000, in part payment for land taken from their estate to widen Hanover street, by a resolve approved December 31, 1868, for damage to buildings thereon, caused by said widening, and for the cost of rebuilding fronts of said buildings upon the new line of said Hanover street.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be hereby directed to rebuild a portion of the sewer at the foot of Mount Vernon street, rendered necessary by the laying out of the street to the Commissioners' line; the expense to be charged to the appropriation for widening streets.

Ordered, That the Superintendent of Sewers be hereby directed to rebuild the sewer under Foster & Leighton's wharf, at the foot of Lexington street, East Boston, the expense to be charged to the appropriation for sewers.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Cedar street, between Highland street and Lambert avenue, and report a schedule of the expense thereof to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Purchase street, between Congress and Federal streets, and report a schedule of the expense thereof to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Rockville place, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Forest street and Mount Pleasant avenue, at the northerly end, and report a schedule of the expense to this Board.

On motion of Alderman James,

Ordered, That the City Treasurer be and he is hereby directed to abate the assessment of $28 84 against the estate of John A. Hodge on Lexington street, East Boston.

On motion of Alderman Talbot,

A notice to quit was ordered to be served on Patrick Kenna and others to remove all obstructions from the line of widening of Ward street before the 1st of July.

On motion of Alderman Baldwin,

The vote by which the Board refused licenses to Morris Brothers and to Rich, Hart & Trowbridge for musical performances near the Coliseum were reconsidered, and said licenses were granted.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, JUNE 21, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at 4 o'clock, the Mayor presiding.

JURORS DRAWN.

Six traverse jurors were drawn for the Superior Court, criminal term.

APPOINTMENTS MADE AND CONFIRMED.

*Constable*—Geo. B. Proctor.

*Special Police Officers*—(without pay, the several Superintendents of bathing houses, as follows): 1, West Boston bridge, H. A. Willard; 2, East Cambridge bridge, Robert Bruce; 3 and 4, Warren bridge, R. C. Anderson; 5 and 6, East Boston, Edward McDonnell; 7, Arch wharf, D. Moore; 8, Mount Washington avenue, James Dolbeare; 9 and 10, South Boston, Job T. Souther; 11 and 12, Dover street bridge, Josiah Canfield; 13 and 14, Cabot street, A. S. Parker; 15, Swett street, John Myers.

PETITIONS PRESENTED AND REFERRED.

Joseph Leonard and others, that gas lamps be placed and lighted on Lambert avenue, between Cedar and Dover streets. Referred to the Committee on Lamps.

Freeman Richardson and others, that the privies of the Comins Schoolhouse be constructed in some other location than the one proposed. Referred to Committee on Public Buildings.

Flint Peaslee, for license to exhibit wild animals and natural curiosities at 112 Hanover street. Referred to Committee on Licenses.

Samuel A. Way, for leave to build a stable on Hudson street, near Curve street. Referred to Committee on Health.

Edwin Ray and others, in aid of the petition of Wm. Whiting and others, for the widening and grading of Warren street. Referred to the Committee on Streets.

Superintendent of Public Buildings, for a sewer in Washington street, between Tremont street and the Comins Schoolhouse. Referred to the Committee on Sewers.

Aaron D. Weld & Co. and 232 others, Chickering & Sons and 127 others, Frederick Gould and 107 others, G. W. Walker and 103 others, Daniel B. Stedman and 62 others, Geo. W. Parmenter and 63 others, Geo. Lunt & Co. and 61 others, Worthington, Flanders & Co. and 58 others, Thomas D. Demond and 104 others, Pickering, Winslow & Co. and 91 others, Benton, Coverly & Co. and 61 others, James Boyd & Sons and 33 others, George H. Plumer and 64 others, Austin Gove & Son and 55 others, Oliver Frost and 112 others, severally for the purchase of the East Boston Ferry Company's property and franchise by the city. Referred to the Committee on Ferries.

NOTICES OF INTENTION TO BUILD.

Margaret Briody, Cabot street, near Tremont street; John Lahey, 114 Prince street; T. K. Daunt, Sixth street, between C and D streets; Edward McGuikian, corner of Ward and Hallock streets; Asa Lewis, 107, 109 Harrison avenue; Robert Moore, rear of 54 to 60 Endicott street; J. & J. Ryan, Sixth street, between C and D streets; Wm. B. Gage, Yeoman street, between Adams and Orchard streets; Webb & Ward, Seventh street, between I and K streets; Bernard Lynch, Ninth street, between E and T streets; John Hegan, Linden park; Edward O'Connor, Fourth street, between F and Dorchester streets; S. E. Sellon, Princeton street, between Marion and Prescott streets; C. Chipman & Son, corner of Hanover, Blackstone and Marshall streets; J. L. Simonds, 28 Piedmont street; John Cavanagh, 158 Prince street; J. P. McKay, Shawmut avenue, between Oakland and Thornton streets; Damon & Campbell, East Newton street, near Harrison avenue; A. C. Martin, corner of Brimmer and Mount Vernon streets; J. A. Bell, corner of Fourth and B streets.

Referred to the Committee on Streets.

HEARINGS ON ORDERS OF NOTICE.

The hearing on order of notice on the petition of Patrick McAleer for leave to place a steam engine in building No. 15 Province street was taken up. No person appearing, the report was recommitted.

The hearing on the order of notice on the proposed construction of a sewer through Atlantic avenue was taken up.

Charles A. Welch appeared for the Central Wharf Co., objecting to the proposed termination of the sewer as an injury to their property, and to the work as a great hindrance to their business. To show this, he called several witnesses.

H. M. Whitney, agent of Metropolitan Steamship Company, stated that the work of constructing a sewer down the wharf would make such an interruption as to make it almost impossible to do business. The Steamship Company were now freighting a steamship every other day with from 1200 to 1500 tons freight. The interruption would be such as to require the removal of one or both of them, and require a large increase of the laboring and clerical force of the Company. At times in the fall a steamer is dispatched every day. The increased expense would be from $1200 to $1800 a week.

James M. Blaney, wharfinger at Central wharf, objected to carrying the drain to the end of Central Wharf, on account of the tendency to fill up the harbor. The currents from South Boston and Charlestown meet at the end of Central Wharf and form an eddy, so that sediment is not carried out, but deposited at the bottom of the water. There is a bar about 200 feet from Central Wharf. The construction of a sewer, as proposed, would almost entirely stop the business on the wharf, for it would require to be of fourteen feet depth.

Daniel Sampson, agent of the Baltimore & Norfolk line of steamers, confirmed the statements of Mr. Blaney relative to the meeting of the currents and the bar near the end of the wharf, upon which occasionally the boats ground, The bar increases and has been dug out twice within his knowledge.

William E. Richardson, wharfinger at Central wharf, stated in confirmation of previous statements, that there was a continuous shoaling in near the end of the wharf, much to the surprise often of captains of steamers, who found that their vessels grounded when they did not expect it. The proof of the meeting of the currents is shown from the manner of floating off the ice in winter. The deposit by a sewer at the point proposed would have a tendency to increase the shoaling. The Superintendent of the building of the avenue agreed with him that it would be better to carry the sewer to the end of the avenue.

Jos. W. Leighton, superintendent of work on the avenue, stated that he saw no reason why the drains could not be carried down the avenue, and emptied into the dock near the ferry, where there was a brisk current. The distance would be greater, but the amount of excavation would not be so great. The extension of the drain down the wharf would require at least four months, from the difficulties in respect to the tide that would have to be overcome.

The report was recommitted.

The hearing of parties advocating or opposing the proposition to give one uniform name to East Chester Park, Chester square and West Chester park was taken up.

G. A. Somerby appeared for some of the petitioners residing in East and West Chester parks and Chester square, and for various business men, who have experienced great difficulties from the treble numbering of houses in those localities. There are 190 houses in those streets, and to get rid of the difficulties they desire a uniform numbering of those streets continuously.

Wm. D. Forbes, residing at 33 Chester park, east of Washington street, for six and a half years, had been annoyed by the constant confusion arising from numbers. He often received packages designed for West Chester park and Chester square, and as often his own packages were sent to those other streets. This difficulty would be increased by the building of new houses on those streets. He could see no objection to one name for the continuous street, and did not think it would injure the property in any of those

streets. It would be immaterial what the name was, whether Chester was retained, or some other name was taken. In his opinion, it would be beneficial to real estate holders to have the name the same and the numbers continuous.

In reply to A. A. Ranney, he did not see any objection to numbering the streets continuously across Washington street, and applying the same rule to other streets as well as this street, or at least that the numbering should be in this as in some other streets, east and west from Washington street. The difficulties in regard to his own packages occurred on an average two or three times a week. For the public convenience, he believed this change should take place.

John A. Lewis had resided at No. 10 Chester park for eight years. Ever since he had lived there constant difficulties had occurred relative to the triplicate numbering. At one time there were four sets of numbers on those streets. He could not see any reason for a decrease in the value of property by a uniform name and numbering. If there was a uniform name and numbering he believed it would be of great convenience, and add value to the property. He had never heard any man say that he realized no inconvenience from the triplicate numbering.

In answer to Mr. Ranney, he said the difficulty was less than formerly, as the friends of the residents became more familiar with the localities. A change in numbers might cause inconvenience for a time to the residents in Chester square, but eventually all the inconvenience would be done away with. The time is now favorable because of the making of new numbers to a portion of the street.

George H. Leonard, residing at 27 Chester park for five years, testified to having frequent difficulties on account of the numbering of the street. Not only friends had difficulties in finding his house, but he had lost his dinners and other articles, and several times a week he suffered in various ways, through packages being sent to the wrong place. As an owner of property, he saw no reason why a uniform name should not be given to the continuous street.

Axel Dearborn, residing at 37 Chester square for nearly six years, related his experience as much like those preceding him. In fact, he believed his difficulties were greater than those of many others on the square, for the reason that 37 Chester park is a boarding house, and there are a much larger number of people in the house. At Christmas, he had toys enough left at his house to set up a toy-shop with. So great had been the annoyance to his family, in the frequent leaving of packages there, that he gave orders to have such articles left on the hall table until called for. A letter left in that way once, remained there four weeks. In regard to the recent remonstrance against the change of numbers in Chester square, many of the signers had stated that they admitted the thing was all wrong, and that there should be but one name and numbering for the continuous street. He saw no objection to one name, and the least that could be done would be to number east and west of Washington street. In the making of changes there were inconveniences, sometimes, but in the end the advantages of the change would be very clear.

In reply to Mr. Ranney, he could see no objection to calling the street an avenue, as suggested by Mr. Somerby. In the unfinished condition of the street, at either end, the numbering from Washington street each way would remove much of the difficulty.

Sterne Morse resided at what was 41 Chester park, for nine years. In addition to the other inconveniences testified to, at one time an undertaker brought a coffin there, designed for some other place, to the discomfort of his wife, who was sick. The name of Chester square he considered to be a misnomer, and he could conceive of no injury to property or property holders to have one continuous street.

In answer to Mr. Ranney, he said the fault in the wrong delivery of packages was sometimes in misdirections, yet it was not strange that any one not very familiar with the distinctions should make mistakes.

J. F. Beals, expressman at the South End, testified to frequent difficulties in relation to carrying packages, often from misdirection of "square" for "street" and "street" for "square." The names of numerous dealers in the market were read, in favor of the proposed change, on account of the difficulties experienced by them.

J. M. Douglass, City and South End Express, often experienced difficulties in misdirection. These misdirections he could correct himself if he saw them, but from change of drivers occasionally, the mistakes are not always corrected, and a great amount of time is lost in finding the right places. There are difficulties experienced in relation to the numbers of other streets, east and west of Washington street, but not to any extent as with the streets in question. He did not think it was stupidity which caused the mistakes, for he thought he might sometimes confuse even Mr. Ranney in half an hour.

W. Whittemore, No. 50 Chester park, testified to the same difficulties experienced by others, almost enough to require the services of an extra girl. Frequently packages are delivered with the number simply, and not the name, and often mistakes are made by the person delivering them.

On motion of Alderman Baldwin, the further hearing was postponed to Monday next.

REPORTS OF COMMITTEES.

Alderman Fairbanks, from the Committee on Licenses, reported a renewal of the licenses of auctioneers, as follows:

Samuel Hatch & Co., N. A. Thompson & Co., J. K. Porter & Co., George R. Hichborn & Co., Cowing & Hatch, Harris & Phinney, Samuel A. Walker, John H. Lester, George B. Faunce, John Ollis, F. D. Osgood & Atwood. Severally accepted.

The same committee reported in favor of licenses to Smith, Nathans & Co. for exhibition of a circus at South Boston and East Boston, Trowbridge & Hart for a concert at East Boston; also licenses to four newsboys and one boy as a bootblack. Accepted.

Alderman James, from the Committee on Public Lands, reported leave to withdraw on petition of Bradford Perry, for removal of restrictions on land on Tremont street; of Chas. Faulkner, for modification of conditions in the sale of land at 37 East Springfield street; and no action required on petition of Perkins & Jacques, for release from conditions on land in Tremont street, the parties having the right asked for. Accepted.

Alderman James, from the Committee on Common, &c., reported leave to withdraw on the petition of Lizzie Garrison for leave to hold meetings in public streets, or places. Accepted.

CHURCH STREET DISTRICT.

Alderman Richards, from the Committee on the Church Street District, submitted a report, representing that, owing to the widening of streets on said District, the taking of land for school and other purposes, and the surrender of estates to the city, involving large expenditures of money not included in the original estimates, an additional appropriation will be required to complete the improvement.

From a carefully prepared statement by the Commissioners, it appears that the total expenditures for items in the original estimate amount, at the present time, to... ..... $385,902 43

| | |
|---|---|
| The estimated expenditures on account of work to be performed under the original orders for the improvement amount to..... | 225,000 00 |
| Making the total expense for raising buildings and territory, grading streets, &c. ..... | $611,902 43 |
| The amount authorized to be expended, under an order passed May 22, 1869, for doing said work, was..... | 650,000 00 |
| By which it appears that the committee has performed the work for about $38,000 less than the original estimates. | |
| The appropriations heretofore made amount to..... | 700,000 00 |
| Which has been expended as follows: | |
| 1st. Items included in original estimate: | |
| For raising buildings..... | 265,067 47 |
| For filling..... | 85,500 00 |
| For paving, sewers, raising water pipes, salaries Commissioners, printing, &c., | 35,334 96 |
| Total..... | $385,902 43 |

2d. Items not included in original estimates:

| | |
|---|---|
| For moving back buildings on account of widening streets | 35,000 00 |
| For estates surrendered | 191,464 53 |
| For portions of estates taken for widening streets | 19,419 39 |
| For extension of Columbus avenue | 63,194 44 |
| Total expenditures for items not in original estimates | 313,581 36 |
| Total expenditures to the present time for all purposes | $699,483 79 |

The estimated expenditures required to complete contracts already made and perform work ordered by the City Council are as follows:

| | |
|---|---|
| For work under original estimate as above stated | 225,000 00 |
| For widening streets, paying for estates surrendered, etc | 200,000 00 |
| Total | $425,000 00 |

The estimated receipts from sales of estates surrendered, and other purposes, are as follows:

| | |
|---|---|
| For estates surrendered | 53,536 00 |
| For portions of estates after widening streets | 46,229 00 |
| On account of assessments for benefit to estates from widening streets | 97,759 00 |
| Sale of old materials | 3,500 00 |
| Total | $211,024 00 |

The value of land taken for two schoolhouses and a hose house and ward room, about 18,000 square feet, is not included in the above estimate.

The total cost of the improvement, including the widening of Tremont, Marion, Piedmont, South Cedar, Shawmut, Berlin and Tennyson streets, and the extension of Columbus avenue eighty feet wide, and also the land taken for public buildings, is estimated at $1,124,483 79

| | |
|---|---|
| Estimated receipts | 211,024 00 |
| Making the net cost of improvement | $913,459 79 |

The receipts are carried to the credit of the sinking fund, and it is necessary, therefore, to make a loan for the total cost of the work. In order to cover all contingencies, the Committee would recommend the passage of the accompanying order for a loan of four hundred and seventy-five thousand dollars.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of four hundred and seventy-five thousand dollars, to be applied to raising the territory and buildings on the Church Street District, paying for any estates on said district taken under the provisions of Chapter 308 of the acts of 1867, and for damages on account of widening and extending streets; said sum to be added to the loans heretofore authorized for the same purpose.

The order was read twice and passed.

Alderman Seaver, from the Committee on Police, submitted the following report, as an amendment to police regulations.

Ordered, That on and after the 10th day of July next, the harbor police boat known as the schooner Quarantine, shall, during the night, and at all other times when on account of the weather she cannot go upon her regular duty in the lower harbor, be moored in the stream opposite Union wharf, and it shall be known as the headquarters of the water police.

During the day, the police flag shall be kept flying at the mast head, and during the night, a blue light shall be displayed in place of the flag.

The regular detail for the Quarantine shall be divided into two watches, one of which shall be on board alternately every second night, for the purpose of receiving orders and complaints.

The patrol boats will report there every two hours during the night, and will obey and answer all signals given from the schooner or the end of Union Wharf, as per section 123 of the regulations.

Until otherwise ordered, the officer in charge of the schooner Quarantine shall have, through the senior officer of the Eighth district, sole control of the water force; he will report for orders and roll call at the Station house at 8 o'clock A. M. and 6 o'clock P. M. daily.

The order was passed.

Alderman Bradlee, from the Committee on Ordinances, to whom were referred the ordinances to amend the ordinances providing for the care and management of the Boston Water Works, submitted the following report:

The Committee having been authorized by an order passed January 22, 1869, to prepare a digest of the City Ordinances, have considered it proper in passing upon the proposed amendment to make a careful examination of the provisions of all the ordinances upon the subject of the Water Works, with a view to striking out such portions as have become obsolete, and in introducing such additional provisions as the increased duties of the department may seem to require.

Upon the recommendation of the Water Board, a great number of verbal amendments have been made; but the only important changes which the Committee present in the ordinances herewith submitted, are those relating to the organization of the Board, and the rates to be charged for water supplied to model houses. The latter is made upon the special recommendation of the Water Board to the City Council, and has received the approval of the Joint Standing Committee on Water.

In their communication to the Government on February last, the Board stated that at the time when this present tariff was established, model or tenement houses were erected only for the poorer classes of the community; but since then many large and costly buildings have been erected, with suits of rooms adapted for all classes, and with water fixtures as complete and extensive as those in many first-class dwellings. The proposed amendment will enable the Water Board to assess a just and proper rate for the use of water in this class of houses.

The proposed change in the organization of the Board is part of a scheme for the reorganization of all Boards elected by the City Council; and is intended merely to systematize the management of the several departments of the City Government.

Under the present arrangement, the election of the members for some of the Boards is made in January or February, the new members to take office immediately; and the most important matter, perhaps, on which they are called to act during the year, namely, making up the annual appropriation for carrying on the Department, comes up at the very time that a change is going on in the Board. The members of other Boards are elected in February or March, to take office on the first Monday in April; and it not infrequently happens that the Board is without any representative in either branch of the City Council during the first three months of the year.

Some of the Boards are required to make their annual reports at the end of the municipal year; others at the end of the financial year, and the report of one Board is made up for the year ending on the first of September or October. Owing to this irregularity, great difficulty is experienced in making any comparison of the statistics of the several departments from their reports.

For the purpose of introducing a general system, the committee would recommend that the representatives from the two branches of the City Council on the several Boards be elected in January, to enter upon their duties forthwith; that the members at large be elected in March or April, to enter upon their duties on the first Monday in May, at which time the Board shall be organized anew, and that the annual reports be made at the end of the financial year.

Under the proposed arrangement, the Boards secure representatives in the City Council at the beginning of the year; the members at large continue in office during the financial year, and will have a deeper sense of responsibility in the expenditure of their appropriation, and a better knowledge of what is required for the department during the ensuing year. The reports will show the condition of the several departments at the same period of time, and will agree with the Auditor's report in their statement of receipts and expenditures.

The other changes which the committee have made in the accompanying ordinance are, as before stated, mainly verbal ones, which have received the approval of the City Solicitor.

The passage of the ordinance is respectfully recommended.

The report and ordinance were laid on the table and ordered to be printed.

The annual report of the Cochituate Water Board, which had been authorized in print, was

laid before the Board, and ordered to be sent down.

ORDERS OF NOTICE.

On the proposed construction of a sewer in Grove Hall avenue, in Moreland street and in Perrin street. Hearing Monday next, 4 P. M.

On the proposed widening of East Castle street to forty-five feet, on the northerly side. Hearing Monday next, 4 P. M.

ORDERS PASSED.

On motion of Alderman Van Nostrand,

Ordered, That the tax assessed upon John S. Sherburne for the year 1868, on account of the estate owned by him in Nassau street, amounting to $52 89, be and the same hereby is abated.

Ordered, That the tax assessed upon Catharine Falvoy, for the year 1868, on account of the estate owned by her in E street, amounting to $12 30 be and the same hereby is abated.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Ward street, and report a schedule of the expense to this Board.

On motion of Alderman James,

Ordered, That the Chief-of-Police be directed to notify the owners and abutters on Marion street, from White street to Bennington street, to furnish new edgestones to support their sidewalks and lay their sidewalks with brick.

An order was passed for the abatement of a nuisance in Spring street.

On motion of Alderman James, city document No. 59, being the request of the Cochituate Water Board for an additional appropriation, was taken from the table and referred to the Committee on Water.

Aldermen Van Nostrand and Pratt were appointed a committee to examine the returns of votes on the question of annexation of Dorchester to Boston.

Adjourned to Thursday, 12 M.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

### JUNE 24, 1869.

An adjourned meeting of the Board of Aldermen was held at 12 o'clock today.

The constable's bond of Geo. B. Proctor was accepted and approved.

PETITIONS PRESENTED AND REFERRED.

L. B. Lent, for leave to exhibit a circus company at Highlands July 10, South Boston July 19, and East Boston July 26.

Morretti & Fortin, for leave to exhibit some rare animals at No. 11 State street.

Severally referred to the Committee on Licenses.

Frederick T. Storer, against the removal of any wooden buildings from Lenox street to Northfield street. Referred to the Committee on Paving.

The monthly requisition for Suffolk County jail was approved, amounting to $2170 50.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses for the Great European Circus to exhibit in the city five days, and East and South Boston one day each; to D. E. Prescott, to exhibit a two-headed girl; to John Kelly, to exhibit certain natural curiosities at No. 11 State street; and to sundry persons as victuallers. Severally accepted.

Aldermen Van Nostrand and Pratt, the Special Committee appointed to examine the returns of votes cast in the several wards of the city on the 22d inst. *for* and *against* the acceptance of "an act to unite the city of Boston and the town of Dorchester," reported that they had attended to that duty, and find that the returns are correctly made, and the results recorded in the book kept for that purpose, from which it appears that the total number of yeas is 3420; nays 565. The Committee recommend that the certificate of the result be transmitted to the Secretary of the Commonwealth, as required by law.

The official vote, as recorded, is as follows:

| | Yeas. | Nays. |
|---|---|---|
| Ward One | 159 | 89 |
| Ward Two | 321 | 43 |
| Ward Three | 215 | 27 |
| Ward Four | 201 | 30 |
| Ward Five | 221 | 31 |
| Ward Six | 222 | 40 |
| Ward Seven | 193 | 18 |
| Ward Eight | 221 | 21 |
| Ward Nine | 165 | 19 |
| Ward Ten | 271 | 47 |
| Ward Eleven | 297 | 26 |
| Ward Twelve | 365 | 22 |
| Ward Thirteen | 184 | 48 |
| Ward Fourteen | 206 | 51 |
| Ward Fifteen | 176 | 53 |
| | 3420 | 565 |

The report was accepted.

ORDERS PASSED.

On motion of Alderman Seaver,

Ordered, That there be allowed and paid the pay rolls of the special policemen employed during the week ending June 19, known as the Peace Jubilee week; also the expenses incurred by the police department for this special purpose to an amount in the total not exceeding $7000, said amount be charged to the Appropriation for Police.

REGULATION OF CARRIAGE FARE.

The rules and regulations of the Board of Aldermen in relation to carriages were taken from the table and passed.

The section relating to fares provides as follows:

Sect. 16. On and after the 30th day of June, 1869, and until otherwise ordered, the prices, or rates of fare, to be taken by, or paid to, the owner, driver, or other person having charge of any hackney carriage, except omnibuses, shall be as follows:

For one adult passenger from one place to another within the city proper (except as hereinafter provided), or from one place to another within the limits of East Boston—or from one place to another within the limits of South Boston—or from one place to another within the limits of Boston Highlands (formerly Roxbury), the fare shall be Fifty Cents, and for every additional adult passenger, Fifty Cents.

For one adult passenger from any place (within the city proper) south of Dover street and west of Berkeley street, to any place north of State, Court and Cambridge streets, or from any place north of State, Court and Cambridge streets, to any place south of Dover street and west of Berkeley street, the fare shall be one dollar, and for two or more passengers fifty cents each.

For children under four years of age, with an adult, no charge shall be made. For children between four and twelve years of age, when accompanied by an adult, twenty five cents each.

Between the hours of 12 o'clock at night and 6 o'clock in the morning, for one adult passenger, the fare shall be double the amount allowed in the preceding sections and fifty cents for every additional adult passenger.

The baggage used by any person in travelling shall be free of charge.

No owner, driver, or other person having charge of a hackney carriage shall demand or receive any more than the price or rate of fare herein established, under a penalty of not less than ten nor more than fifty dollars for each offence; and he shall forfeit his license. And for refusing to carry any passenger from any railroad station or steamboat landing, to any point within the city, the owner, driver, or other person having charge of such hackney carriage, shall be subject to a like penalty.

This section shall be kept posted in some conspicuous place in every licensed vehicle used for the conveyance of passengers, under a penalty of five dollars for each and every day this regulation is not observed.

Adjourned to Monday next.

## Proceedings of the Common Council,

### JUNE 24, 1869.

The regular weekly meeting of the Common Council was held this evening, at 8 o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The several petitions of Thomas M. Howard, to be compensated for damages to his well in South Cedar street; of Freeman Richardson and others, concerning the Comins Schoolhouse; of Aaron D. Weld and others, Chickering & Sons, and numerous other petitioners for the purchase of the East Boston Ferry property and franchise by the city, were referred in concurrence.

The following reports were ordered to be placed on file:

Auditor's Monthly Exhibit, June 10, 1869. City Doc. No. 57.

Twelfth Annual Report of the Directors for Public Institutions. City Doc. No. 53.

Annual Report of the Cochituate Water Board. City Doc. No. 55.

The reports leave to withdraw on the petition of Charles Faulkner for modification of conditions of sale of estate 37 East Springfield street; on the petition of Bradford Perry for removal of restrictions on land on Tremont street, and on the remonstrance of Lewis E. Cotton against the same, were accepted in concurrence.

The report that no action is required on the petition of Perkins & Jaques for the release of conditions on certain land conveyed by the city on Tremont street, was accepted, in concurrence.

The following orders were passed, in concurrence:

Order that the Ward Room of Ward Fifteen be established, until otherwise ordered, in the new Station House building on Pynchon street.

Order authorizing an addition to be made to Hook and Ladder House No. 4, at an expense not exceeding $3000.

The order to pay Charles R. Train the sum of one thousand dollars for services as counsel before the Committee of the Legislature on the annexation of Dorchester to Boston, coming up for consideration, on motion of Mr. Jenks of Ward Three, was referred to the Committee on Claims.

The request of the Cochituate Water Board for an additional appropriation of $500,000 for the construction of the Chestnut Hill Reservoir, City Doc. No. 59, was referred in concurrence.

The order authorizing two thousand dollars to be transferred from the Reserved Fund to the appropriation for Ward Room, Ward Nine, and Hose House No. 8, was read once.

The order authorizing a loan of $475,000, to be applied to raising the territory and buildings on the Church Street District, paying for any estates taken under the provisions of Chapter 308 of the Acts of 1867, and for damages on account of widening and extending streets, City Document No. 62, was taken up.

Mr. Keith of Ward Fifteen moved that the reading of the report of the committee be dispensed with.

Objection was made that the report had not been in the hands of the members.

Mr. Wadsworth of Ward Four stated that the report was in print, and inquired why it was not circulated.

Mr. Jenks of Ward Three moved that it be laid on the table and printed. Carried.

Mr. Wadsworth said it was desirable that the order should take its first reading tonight, and meanwhile, before the next meeting, it would be circulated, and moved that it be taken from the table.

Mr. Snow of Ward Eleven rose to a point of order, whether such a motion could be entertained at this time.

The Chair ruled that it could not.

Mr. Wadsworth moved a reconsideration of the vote to lie on the table.

Mr. Jenks of Ward Three rose to a question of order, whether this motion was in order.

The chair ruled that the motion was in order.

The motion to reconsider was carried, and the question recurring on the motion to lay the report on the table, the motion was declared to be carried.

Pending a doubt on the motion, Mr. Nelson of Ward Nine inquired what the question was.

The Chair stated the question to be upon the motion to lay the report on the table.

Mr. Wells of Ward Three, raised the point that the gentleman from Ward Four had not answered the question whether he voted in the affirmative.

The motion to lay the report on the table was lost.

Mr. Wilkins of Ward Nine moved that the order be read by its title.

Mr. Jenks thought such action was rather crowding the mourners, in forcing members to vote on a matter without telling them what it is for. The least that could be done would be to tell the Council what the committee wanted, and what they had done with the money already voted to them.

Mr. Snow said he sympathized with the gentleman relative to his position. He could not vote for the order until he had read and understood it. There could be no doubt in the matter that, when read, and it appeared to be reasonable, the Council would always meet the requisitions. He hoped the request would lie over.

The chair stated that it would lie over under the rules.

Mr. Snow did not think it necessary that it should be considered tonight, and moved that it be postponed one week.

Mr. Wadsworth opposed the motion, and hoped it would take its first reading tonight. There was no disposition to press the matter, and there could be no harm in its taking its first reading. At the next meeting, after reading the report, the members could vote understandingly. The document ought to have been on the table at this time. It would show that a great part of the expense incurred had been in the widening of streets, in payment for surrendered estates, of a schoolhouse lot, land for a station house and other matters, which did not enter into the original appropriation. The work proposed to be done under the original appropriation would be completed at less than that sum, and leave a balance of $38,000. The widening of streets, &c., were not contemplated. The order should be read the first time, the document, could be sent to the members during the week, and at the next meeting they could come ready to vote understandingly on the subject.

Mr. Keith said that when he made the motion to waive the reading of the report, he had the impression that it had been circulated in print among the members. He did not understand, however, why one member only of the Council should have been furnished with a copy. A full abstract had been given of this report in the proceedings of the Board of Aldermen, which most of the members must have read. As had been stated, there were many items of expense which were not embraced in the original estimates. In the disposal of estates which have been surrendered to the city, the proceeds will go into the sinking fund, and cannot be devoted to this improvement. Then there had been the widening of streets, not originally provided for. The additional appropriation was not like that asked for the Chestnut Hill Reservoir, and there could be no harm in giving the orders one reading tonight.

Mr. Wadsworth called attention to several of the large items of expenditure which had been necessary, but which were not contemplated in the appropriation, and, in answer to Mr. Keith, stated that there had been but a dozen copies of the report sent over from the printer and he got one of them down stairs.

A question was raised whether the order had not been read once.

The Chair replied that it had.

The motion to postpone one week was carried.

UNFINISHED BUSINESS.

The following orders were considered as unfinished business and read a second time and passed:

Order authorizing the purchase of the balance of the estates on Way street, left after the extension of Broadway, belonging to S. A. Way and A. C. Driscoll.

Order for the Cochituate Water Board to contract with the Mystic Water Board, or the City of Charlestown, for the supply of East Boston with water from Mystic Pond.

Order for the Committee on Printing to request the assent of the Mayor to the publication of his manuscript relating to the history and topography of the City of Boston and its harbor.

Report and orders authorizing the erection of a Grammar Schoolhouse on the city's land at the corner of Paris and Decatur streets, in Ward One, at a cost of $90,000, and that the Treasurer be authorized to borrow said sum, to be appropriated therefor.

The last orders were passed by a vote of 50 yeas, no nays.

REPORTS OF COMMITTEES.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, who were directed to procure plans and estimates for the erection of a Primary Schoolhouse on Appleton street, respectfully reported that they have caused plans to be made which have been approved by the Committee on Public Instruction, and have received estimates, from which they find that it will require an appropriation of $60,000 to erect the proposed building, and provide heating apparatus and furniture. They would therefore respectfully recommend the passage of the accompanying orders:

Ordered, That the Committee on Public Buildings be authorized to erect a Primary Schoolhouse upon the lot of land recently purchased on Appleton street, according to plans approved by the Committee on Public Instruction, at a cost of $60,000,

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $60,000, to be appropriated for the erection of a Primary Schoolhouse on Appleton street.

Mr. Jenks inquired whether the appropriation covered fencing and grading, to which it was replied that it covered everything.

The orders were severally read once.

Mr. Keith, from the same committee, who were directed to contract with the United States Ventilation Company for the application of their system of ventilation to the Common Council Chamber, reported that the work had been performed by said company in accordance with the terms of the contract, and a bill is now presented for approval

amounting to $1600. The proposal was that the work should be entirely satisfactory to the Council, and upon the condition that if it was not, no charge should be made for removing the apparatus and restoring the chamber to its original condition. It is for the Council to determine, therefore, whether the system of ventilation which has been put in operation a sufficient length of time to give it a fair test, has been entirely satisfactory.

The committee recommend the passage of the following order:

Ordered, That there be allowed and paid to the United States Ventilation Company the sum of $1600 in full for all labor performed in the ventilation of the Common Council Chamber.

The order was read once.

Mr. Wells of Ward Three said he wished to give the system a test by trying it in hot weather, and moved that the order be laid on the table. Carried.

Mr. Nelson of Ward Nine, from the Joint Standing Committee on Printing, made a report representing that the contract for reporting and printing an abstract of the proceedings of the City Council in one of the daily papers, expires on the first day of July next, and in order that the reports may be continued without interruption, some action should be taken at this time authorizing a renewal of the contract.

These reports, which were begun last year as an experiment, have given great satisfaction, and been highly useful, not only to the members of the City Government, but to the citizens generally. The members of the Government are enabled to act intelligently upon the subjects presented to them, and the citizens are enabled to acquaint themselves with the details of the city business.

The committee are of opinion that it would be for the public interest to continue the publication of the proceedings of the City Council substantially as heretofore, and they would therefore recommend the passage of the accompanying order:

Ordered. That the Committee on Printing be authorized to contract with the proprietor of one daily paper in Boston to report and publish an abstract of the business and proceedings of the meetings of the City Council for one year from the first day of July 1869, at an estimated expense of $4000, to be charged to the appropriation for Printing.

Signed by Alderman Talbot as chairman of the Committee. The order was read once.

Mr. Hopkins of Ward Ten moved a suspension of the rules that the order may take its second reading at the present time. This was necessary, or the Council would not have a report of its proceedings at the next meeting. The motion to suspend the rules was carried.

Mr. Keith inquired whether the amount was the same as during the last year.

Mr. Nelson stated that the amount was the same. The original appropriation was $2500, but on account of the reports being more voluminous than was contemplated, an amount of $1500 had been added.

The order was read a second time and passed.

ORDERS PASSED.

On motion of Mr. Learnard of Ward Eleven,

Ordered, That the Committee on Public Instruction be requested to report as to the feasibility of having the pupils of the public schools give a musical entertainment in the Coliseum, to which their parents shall be specially invited.

On motion of Mr. Rich of Ward Fourteen,

Ordered, That the City Messenger be and he is hereby directed to cause to be mounted on rollers a sufficient number of maps of the city of Boston to furnish all the members of the City Council who are unprovided therewith.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## JUNE 28, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at 4 o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Twenty-two grand jurors were drawn for the Superior Court, criminal business, and thirty-six traverse jurors were drawn for the same Court.

APPOINTMENTS MADE AND CONFIRMED.

*Members of Fire Department.* H. B. Farnham' for Engine No. 1; David N. Jeffrey, for Engine No' 8; Martin B. White, for Engine 8; Chas H. Knox' for Hook and Ladder No. 1.

*Police Officers.* John Holmes, George H. Farnham, William B. Hill, Thomas F. Doyle, Charles A. Hildreth, James F. Smith, John S. Hodges, Daniel Cowing, James H. Kelley, James A. Howard, Andrew Houghton, Stephen Osgood, Hugh Doherty, William Curtis, Thomas Weir, Daniel Hill, Daniel W. Hammond, Ignatius A. Kelly, Lyman Andrews, Jr., Otis C. Merrill, Eugene McCarty, Calvin L. Hutchins, M. J. Dagney, Amos G. Drake, Daniel Herold.

*Special Police Officers, without pay* (for duty in the Health Department) Maurice B. Rowe, Chas. G. Forristall, Calvin A. Rowe, Thomas L. Tucker, J. H. K. Dickinson, John Chandler.

PETITIONS PRESENTED AND REFERRED.

Wm. Evans and others, that Mason street be extended to Boylston street. Referred to Committee on Streets.

Alexander Campbell and others, for a sewer in Newton street, east of Harrison avenue.

Erastus P. Badger and others, for a sewer in Bowker street, from Chardon street to Sudbury street.

H. W. Suter and others, for a sewer in Avon place.

Severally referred to Committee on Sewers.

Elsie A. French, for abatement of assessment for sidewalks, 190 Saratoga street.

Lewis Colby and others, for the construction of sidewalks on Brooks street, between Monmouth and Bennington streets.

Severally referred to the Committee on Paving.

Massachusetts Charitable Mechanic Association, for leave to erect a temporary building in Merchants Row, between Faneuil Hall and Faneuil Hall Market House. Referred to Committee on the Market.

S. C. Thwing and others, for an alteration in the location of the stand pipe at Boston Highlands, and for the widening and grading of Fort avenue. Referred to Committee on Water, with directions to consult the Water Board.

James Brown and others, against W. H. Young, a night soil contractor, for alleged neglect of duty.

Benjamin Jones, for leave to use Cochituate water for sprinkling streets for a short period.

Severally referred to the Committee on Health.

NOTICES OF INTENTION TO BUILD.

Benjamin Burlingame, corner of Tremont and Cunard streets; Safford & Norton, 17 Bowdoin street; Henry B. Stratton, corner of Pleasant and Tremont streets; F. O. Clark, Mercer street, between Telegraph and Dorchester streets; S. W. Nudd, corner of Longwood avenue and Parker streets; J. B. Meserve, rear of 26 South Margin street; Patrick Hanlon, No. 377 Second street; J. A. Allen, Third street, between E and F streets; Morton & Chesley, Brimmer street; Edmund Tarbell, Dorchester street, opposite Athens street; Joseph F. Paul, 441 Tremont street; George E. Shackley, Dorchester street, between Eighth and Ninth streets; Baxter & Vinal, Broadway, between B and C streets; Samuel Small, Border street, between Maverick and Sumner streets; Peter Walsh, 15 and 17 Clark street. Severally referred to the Committee on Streets.

REPORT OF CITY SOLICITOR.

The semi-annual report of the City Solicitor was presented, showing the suits and legal proceedings to which the city is a party, pending on the 28th day of December last, the date of his former report, and what proceedings have been had in them, respectively, since that time. The report was laid on the table and ordered to be printed.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the proposed construction of a sewer in Winthrop street; on the proposed construction of a sewer in Grove Hall avenue, in Moreland street, and in Perrin street; on the order requiring Mary S. T. Macomber, wife of Wm. Macomber, and Jeremiah Brown to remove back their buildings to the line of widening of Federal street, were severally taken up. No person appearing, the reports were recommitted.

The continuance of the hearing relative to giving a uniform name to Chester park, Chester square and East and West Chester parks, was delayed, from absence of counsel for petitioners, and by consent of remonstrants was postponed to Tuesday, July 6.

COMMON COUNCIL PAPERS.

Petitions from the Common Council were referred in concurrence.

The following orders were passed in concurrence:

Report and order of the Cochituate Water Board to contract with the Mystic Water Board of the City of Charlestown for a supply of water for East Boston.

Order for City Messenger to supply each member of the City Council with a mounted map of the city.

Order for the Committee on Public Instruction to inquire as to the expediency of a Musical Festival for school children and their parents.

Order for the publication of the Mayor's History and Topography of this City and its Harbor.

The order for reporting and publishing proceedings of City Council for one year from July 1, at a cost of $4000 was considered.

Alderman Pratt said it was a query in his mind whether it was not better to make a change to some other paper than that in which these proceedings are published. He had watched the matter carefully from time to time, and no doubt the proceedings had been given properly and were of great benefit, but the manuscript which they had received every week from the City Printer had been the means of enabling the members of one branch to learn what had been done in the other, and had been of the greatest service. He did not think the Transcript covered as large or all the ground which other papers might cover. As the Transcript had published these proceedings for one or two years, he would move an amendment that they be published in the Traveller. In making this motion, he was speaking not for himself alone but for thousands of others, who read some other paper than the Transcript. He was in the habit of reading the Traveller and would prefer to have it published in that paper. The pay for publishing these proceedings had been increased during the past year, and he had never heard any good reason for the increase. The Chairman of the Committee on Printing he supposed to be economical, and it might be correct, but he would like to hear the reasons given for this increase from what was first contracted for.

The amendment was rejected, nearly unanimously.

Alderman Talbot said the elaborate reports which the gentleman supposed were from the City Printer, came from the Transcript office, and the getting out of these slips which were found so convenient, had added something to the expense. The bargain which was made was for the publication at $25 per column, and one column was believed at the outset to be an average of the proceedings each week. It was found necessary, however, to make the reports much longer, and the proceedings of the Board of Aldermen alone average nearly two columns each week. The increase in the appropriation was accordingly made early in the year to cover this increased expense. There could be no doubt of the propriety of giving the reports as full as they have been, for the benefit of the City Government and the public. He wished we could afford to publish the proceedings in full in all the daily papers, but it could not be expected.

The order was passed, by nearly an unanimous vote.

The order to pay Charles R. Train $1000 for services before the Legislature on the subject of the annexation of Dorchester, which had previously passed the Board, was "referred to Committee on Claims" in concurrence.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licensing six bootblacks: also, licenses as innholders, common victuallers, and for the transfer of certain wagon licenses. Severally accepted.

Alderman White also reported in favor of licenses to L. B. Lent, for exhibitions of circus at the Highlands, East Boston and South Boston; of H. J. Carland, to give a public entertainment at Morris Brothers' Opera House; of Union Base Ball Association, for leave to give exhibitions of that game; and of Maretti & Fostin, for leave to exhibit rare animals. Severally accepted.

Alderman White, from the Committee on Health, reported leave to withdraw on the petition of Alvin M. Turner, and an order for the abatement of nuisances at No. 263 Havre street and at Nos. 2 and 4 Meridian street, on account of defective drains, waste water, &c. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Seaver, from the Committee on Market, reported in favor of transfer of leases of stalls. Accepted.

Alderman Hawes, from the Committee on Steam Engines, reported in favor of allowing Patrick McAleer to put up a steam engine at No. 15 Province street. Accepted.

NEW SCHOOLHOUSE.

Alderman White, from the Joint Standing Committee on Public Instruction, to whom was referred the request of the School Committee that the City Council would select a lot of land between Tremont street and Shawmut avenue, in the vicinity of Ruggles street, and erect thereon a Grammar Schoolhouse, having carefully considered the subject, beg leave to report, that in their opinion a necessity exists for the erection of a Grammar Schoolhouse in that section of the city, and they have, therefore, selected a lot of land between Sterling street and Windsor street, which meets the approval of the School District Committee.

The lot contains about 32,010 square feet, which can be purchased for seventy cents per foot.

The committee would respectfully recommend the passage of the accompanying orders:

Ordered, That the Committee on Public Buildings be authorized to purchase the lot of land lying between Sterling street and Windsor street, containing thirty-two thousand and forty square feet, more or less, for a sum not exceeding twenty-three thousand dollars, said land to be used for the purposes of a grammar school.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of twenty-three thousand dollars, to be applied to the purchase of land for a Grammar Schoolhouse, Ward Fourteen.

Ordered, That the Committee on Public Buildings be authorized to procure plans and estimates for a Grammar Schoolhouse, to be located on the lot of land lying between Sterling street and Windsor street in Ward Fourteen, said plans to be approved by the Committee on Public Instruction.

The orders were read a second time and passed, on the statement that the bond for the sale would expire in a week.

EAST BOSTON FERRY.

Alderman Seaver, from the joint special committee appointed to consider the expediency of purchasing the franchise and property of the East Boston Ferry Co. and to whom were referred the petitions of Manson & Peterson, Samuel Hall and others, that the city would purchase and maintain the ferries and establish such rates of toll as the public interest might from time to time require, and to whom were referred also the petitions of Daniel D. Kelley and others, Dyer & Gurney and others, C. H. & F. B. Day and others, Henry C. Ray and others, Frederick Pease and others, Geo. Sherman and others, Sydney F. Whitehouse and others, N. F. Bryant and others, Hill & Wright, Brown & Lovell and others, William F. Green and others, F. M. Hollingsworth and others, Jewett & Pitcher and others, C. D. Cobb & Brother and others, Cornelius Lovell and others, W. H. Wetherell and others, Conant & Sanborn and others, George F. Buckley and others, Palmer, Batchelder and others, Zenas Snow and others, National Dock Warehouse Co., Boston & Albany Railroad Co. and others, J. J. Walworth & Co. and others, George T. Adams and others, A. N. Libbey & Co. and others, Chickering & Sons and others, Benton, Caverley & Co. and others, James Boyd & Sons and others, Pickering, Winslow & Co. and others, Frederick Gould and others, Oliver Frost and others, Austin Gove & Son and others, George H. Plummer and others, D. B. Stedman & Co., Wm. E. Coffin & Co. and others, George W. Parmenter and others, George Lunt & Co. and others, T. D. Demond & Co., Jordan, Marsh & Co. and others, George W. Walker & Co. and others, F. Skinner & Co., Foster & Taylor, W. K. Lewis & Brothers, Fairbanks, Brown & Co., and others, Worthington, Flanders & Co., George W. Chipman & Co. and others, Aaron D. Weld's Sons, Harvey Scudder & Co., Edward Wigglesworth and others, severally in aid of the petitions of Manson & Peterson, and Samuel Hall and others, submitted the following report:

The number of petitioners is two thousand six hundred, and includes most of the larger business firms in all sections of the city. It appears from an examination of the Assessors' books that the value of property represented by these petitioners and taxed in the city of Boston amounts to not less than forty millions of dollars.

By a recent order of the City Council this Committee were requested to ascertain the terms upon which the East Boston Ferry Company would dispose of their franchise and property to the city of Boston. Before proceeding, however, to negotiate for terms, it is necessary that the Committee should have an appraisal of the ferry property made by competent persons. As this will involve some expense, the Committee deem it proper for the City Council to give some expression of opinion at this time upon the general question of the expediency of making the purchase, provided that it can be made upon reasonable terms.

To bring the question directly before the government, the committee offer a resolution to the effect that it is expedient to purchase the ferry property and maintain the present ferry lines upon such rates of ferriage as may be required to pay the current expenses and five per cent. on the purchase money.

If the resolution receives favorable action, the committee would recommend the passage of the accompanying order, authorizing the appraisal of the property to be made, at an expense not exceeding $2500.

*Resolved*, That in the opinion of the City Council, it would be expedient for the city to purchase upon a fair valuation, the franchise and property of the East Boston Ferry Company, and maintain the ferry lines at present established, upon such rates of ferriage as the Board of Aldermen shall adjudge necessary to pay the current expenses of maintaining said ferry lines, and five per cent. per annum upon the same for the purchase of said franchise and property.

Ordered, That the Joint Special Committee on the subject of the purchase of the East Boston Ferry be authorized to have an appraisal made of the value of the franchise and property of the Ferry Corporation, at an expense not exceeding $2500, to be charged to the appropriation for incidentals.

The report was laid on the table and ordered to be printed.

ADDITIONAL APPROPRIATION FOR WATER WORKS.

Alderman Hawes, from the Committee on Water, to whom was referred the request of the Cochituate Water Board for a further appropriation of $500,000 for the construction of the Chestnut Hill Reservoir, having considered the subject, recommended the passage of the accompanying order:

The necessity for the additional appropriation is fully presented in the communication from the Water Board, printed as City Document No. 59.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $500,000, to be expended by the Cochituate Water Board in the construction of the Chestnut Hill Reservoir, and to be added to the appropriation heretofore made for said reservoir.

The order was read twice and passed

Alderman Pratt, from the Committee on Lamps, on the petition of the employés of the Lamp Department, for an increase of compensation, reported that the prayer of the petitioners should be granted, and recommended the passage of the accompanying orders, increasing the compensation at the rate of twelve and a half per cent.

Ordered, That from and after the 15th of June, and until otherwise ordered, the pay of the lighters of the gas lamps be at the late of two and a quarter cents per lamp per night.

Ordered, That from and after the 15th of June, and until otherwise ordered, the pay of the lighters of fluid lamps be at the rate of three cents per lamp per night.

Ordered, That from and after the 15th of June, and until otherwise ordered, the rate of compensation to lighters of gas lamps now paid by the day, shall be at the rate of $1 67 per day.

The orders were read twice and passed.

ORDERS OF NOTICE.

On the petition of Samuel A. Way, for permission to erect a stable on Hudson street, near Curve street. Hearing Tuesday, July 6, at 4 P. M.

On the proposed construction of a sewer in Tremont street, between Washington and Parker streets. Hearing Tuesday, July 6, 4 P. M.

ORDERS PASSED.

On motion of Alderman White,

Ordered, That the City Treasurer be and he is hereby instructed to abate an assessment laid by the Health Department upon estate of Messrs. Thayer & Bates, in Dunlow street, amounting to $350 70, for constructing a sewer on said street, for the purpose of abating a nuisance, said sewer being of no benefit to the estate above named.

On motion of Alderman Talbot,

Ordered, That Summer street should be widened at the corner of High street, by taking 1384 square feet of land of Isaac Rich and Eben B. Phillips, at a cost of $12,006.

Ordered, That Harrison avenue should be widened by taking land of Seth & A. R. Whittier, containing 1596 9-10 square feet, at a cost of $1295 35.

Ordered, That Bromfield street should be widened, by taking 59 square feet of land, belonging to the Boston Wesleyan Association, at a cost of $944.

Ordered, That there be paid to the heirs of Robert Williams, $4504 31, for damage occasioned by the widening and grading of Oliver street, $3171 21 being the amount of award, October 9, 1865 and $726 74 for interest, and $606 36, the amount collected for the sale of old materials.

Ordered, That there be paid to Samuel D. Ward $7000 for estate belonging to him on Matthews street, surrendered to the city by Hannah Bradford, under the betterment law, by an order of this Board, May 14, 1869.

Ordered, That there be paid to Edward Westcott $13,000 for land taken and damages occasioned by the widening of Federal street, under resolve of June 6, 1869, to be charged to the Federal street loan.

Ordered, That High street should be widened, at the corner of Summer street, by taking 175 square feet of land from Stephen Dow, at a cost of $1575.

Ordered, That the Committee on Laying Out and Widening Streets be, and they hereby are, authorized to sell at public auction at such time as they shall deem expedient, the three estates on Matthews street, surrendered to the city by Hannah Bradford, the heirs of Isaac Packard and Joseph G. Russell; and that the proceeds of the same be paid into the city treasury.

Ordered, That there be paid to Wm. W. Tucker and others, trustees under the will of Wm. Lawrence, $65,000 for land and damage occasioned by the widening of Hanover street.

Ordered, That notice to quit be served upon Michael H. Gleeson, John C. Haynes, Thos. Sprague, William A. Prescott, Elmira Rollins, Willard Phillips, Mrs. Susan H. Todd, on the order for the removal of buildings projecting beyond the line of widening of High street, on or before the 1st August.

Ordered, That notice to quit be served on Jeremiah Brown, under the order to remove back all buildings on his estate on Federal street, on or before 28th July.

Ordered, That notice to quit be served on Mary S. T., wife of William Macomber, under the order to remove back all buildings on her estate on Federal street, on or before the 28th July.

On motion of Alderman James,

Ordered, That the Committee on Common and Squares be authorized to pave the sidewalks around Independence square, at an estimated cost of $4000, to be charged to appropriation for Common, &c.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Vernon street, from Washington street to Cabot street, to furnish edgestones and lay their sidewalks with brick.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Albion street, between Chapman street and Dover street, to lay their sidewalks with brick, and driveway with stone.

Ordered, That the Chief of Police be directed to notify the owners and abutters on K street, from Fourth street to Seventh street, to lay their sidewalks with brick.

Ordered, That the Superintendent of Streets be authorized to close Harrison avenue, over the Boston & Albany Railroad, against the passage of vehicles until the work of raising Harrison avenue to the new grade, and building a new bridge, over the tracks of the railroad, shall have been completed.

On motion of Alderman Pratt,

Ordered, That the Committee on Bells and Clocks be directed to cause the bell on Dr. Putnam's Church in Roxbury to be rung, morning, noon and evening, at an expense not exceeding one hundred dollars, the same to be charged to the appropriation for bells and clocks.

On motion of Alderman Fairbanks,

Ordered, That the Committee on Licenses consider and report what course it is expedient for this Board to adopt under Section 17 of Chapter 415 of the statutes of 1869, in relation to the appointment of one or more liquor agents.

On motion of Alderman Rice,

Ordered, That the Committee on Licenses be requested to report some specific rates of fare for the conveyance of passengers in hacks from the city proper, so called, to East Boston, South Boston and the Boston Highlands.

On motion of Alderman Fairbanks,

Ordered, That the sum of $33 81 be abated from the assessment of Moses Colby for a sewer in Eustis street, and that the same amount be assessed upon Harriet Davenport.

An order was passed to pay monthly bills of persons directly or indirectly connected with the City Government.

On motion of Alderman White,

Ordered, That until the first day of December next, all vessels arriving at this port which have any sickness on board, or which may have had any such sickness during the voyage, or which have come from any foreign port where malignant diseases at any time prevail, also all vessels arriving from American ports south of the capes of Virginia, shall be required to report themselves to the Port Physician, at Quarantine, before proceeding to the city.

No vessel coming within the above-named conditions can leave quarantine or discharge her cargo or any part thereof without the written permit of the Port Physician, who is hereby authorized and instructed to take any measures in regard to such vessels and to make such rules and regulations for their government while in quarantine as in his judgment the security of the health of the city may require.

And, for the permit so granted, the Port Physician shall have the right to demand and receive from each vesel, her master, or owners, the fee which it has been customary to charge at this port in like cases.

Ordered, That the Harbor Master and the Chief of Police be and they are hereby directed to cause the provisions of the foregoing order to be strictly enforced.

On motion of Alderman Richards, the Ordinance to amend Ordinance relating to Public Buildings, so that the Committee on Public Instruction shall purchase schoolhouse sites, was taken from the table.

Alderman Richards expressed the belief that the ordinance was best as it now is. With the provisions of the Ordinance carried out, there would be a check upon the course of extravagance which has been practiced. That practice has been for the

Committee on Public Instruction to report an order to authorize the Committee on Public Buildings to purchase a lot of land, and then report in favor of a building to occupy the lands. The amount of land has been increased to a great extent, so that now from 20,000 to 30,000 feet are required. He believed that there should be a check on the extravagance, which would be likely to increase under the change in the Ordinance, and that the Ordinance should stand as it now is.

Alderman Bradlee said he found himself this year in a position to see the working of the ordinance and the practice under it. The necessity of the change was shown in the case reported upon today, in which it becomes necessary to act at once. It was much more practical for the Committee on Public Instruction, after ascertaining what was required to meet the necessities for further school accommodations, to complete the work of purchasing the land, instead of reporting in favor of its purchase by the Committee on Public Buildings. So far as regards the quantity of land purchased for schoolhouses, he did not think any too much was purchased. The Committee on Public Instruction now do all but technically make the purchases, and it would be well to pass the ordinance.

Alderman Richards said it was not a matter which much concerned him, for this would be his last term in the Board. Since 1862, the Committee on Public Instruction had been increasing its power, in conflict with the Committee on Public Buildings, which is made responsible for purchases over which they can have little control. The Committee on Public Buildings can generally be better intrusted with the purchase of lands, being usually practical men, acquainted with the value of real estate.

Alderman Bradlee said the present practice had grown up from the practical workings of the city government, and he found in his experience in life, that such practical workings proved to be much better than any theories. The Committee on Public Instruction, from constant inquiries and examination of sites, ought to be better posted than other parties in the value of such lands.

Alderman Pratt said this was a subject upon which he had several times previously remarked, and upon a full consideration of the matter, he saw no objection to giving the Committee on Public Instruction the power conferred by this ordinance.

Alderman Talbot said the ordinance commended itself to his judgment. After the Committee on Public Instruction have gone over the land and know what it is, they should be permitted to make the purchase.

The ordinance was read a second time and passed.

LAYING OUT AND GRADING STREETS ON FORT HILL.

On motion of Alderman Talbot, the report of the Committee on Laying Out and Widening Streets, with resolves and orders relating to Fort Hill, was taken from the table and considered, as follows:

The Committee on Laying Out and Widening Streets, in presenting the resolves for laying out, widening and grading the streets on Fort Hill, respectfully submit the following

REPORT.

The work of improving this territory was begun with Oliver street, under a special act of the Legislature passed in 1865. After that street was laid out by the city, and the removal of the buildings had been commenced, preparatory to grading it, an injunction was obtained from the Supreme Court by one of the parties whose land had been taken by the laying out, restraining the city from prosecuting the work until a decision could be reached upon the validity of the act under which the laying out was made. This injunction remained in force about a year, and was removed by the suit being decided in favor of the city. Late in 1866 a contract for the grading of this street was made, and the work commenced, but was obstructed January 17, 1867, by the great snow storm, and resumed February 25, 1867, and was suspended March 8, 1867, by the failure of the contractor to fulfil his agreements with the city.

A contract was made April 10, 1867, with other parties, and the work of grading was completed about the close of that year.

The want of a convenient place to deposit this earth, increased the cost of grading far beyond the estimate which was made at the time the enterprise was started. This great increase in the cost of removing the earth became so formidable an obstacle, that during the years 1867 and 1868 it was impossible to carry forward this improvement by laying out and grading the other necessary streets, unless at a cost nearly as great as the whole value of the land, after the improvement was completed.

It is well known that at the close of last year the City Council laid out Atlantic avenue, thereby requiring—to build the streets and fill the docks to the westerly side of it—all the earth necessary to be removed from Fort Hill to reduce it to the proper grade.

With this opportunity to utilize this filling, the committee deemed it advisable to prepare the necessary resolves to lay out this territory by new streets and the widening of the present ones, so that the whole of it would be made available for business purposes, and all the land could be divided, without loss, into proper lots for stores and warehouses. The committee have not made so many outlets into the surrounding streets as was contemplated by a plan heretofore prepared; or as they have had pressed upon their attention during the consideration of the subject. These outlets, if made, would cause the destruction of property now at a proper grade, and upon streets of sufficient width and in good locations, thereby largely increasing the cost of the improvement without any corresponding benefit.

The tabular estimates of damages do not cover the cost, if any, of grading the streets, but only the value of the land taken and the damage to the buildings caused by the cutting off and change of grade. The estimated value of land and buildings, which are now at the required grade on Pearl and Broad streets, taken in order to make proper openings to this territory from adjacent streets, is $240,000. The value of property taken for streets, or demolished in consequence of the changing of the grades of streets owned by the city is $98,000.

By a recent Act of the Legislature, the city is authorized to take and remove any buildings upon this territory, if it shall become necessary in order to complete the grading (Sec. 2, Chap. 94 of Acts and Resolves of 1869, at end of Report). The number of buildings to be taken under this Act is small, and the necessity and utility of taking them at all has not been fully considered by the Committee.

It will depend in some measure upon the cost of removing the earth under them, and whether any satisfactory agreement can be made with owners for its removal.

We have made no estimate of the cost of this class of takings.

The cost of grading will mainly depend upon the cost of filling Atlantic avenue from other sources. It would not be just to make that enterprise pay more for filling with earth from Fort Hill than it would cost if obtained elsewhere. By another Act of the Legislature, passed at its present session, it is provided that the city may, in order to prevent a nuisance, upon the neglect of the owners of the docks west of Atlantic avenue, fill them up and assess the expense upon the land so filled (Sec. 1, Chap. 181 of Acts and Resolves of 1869, at end of Report). There can be no doubt that the city will use Fort Hill earth to build Atlantic avenue, and also so far as it fills the docks of other parties, and it ought, and we cannot doubt will be the policy of all parties interested in these improvements to so adjust this matter of filling that one improvement shall aid the other—each bearing its proper proportion of the burdens.

By the advice of the Auditor, the Committee have consolidated the whole estimated expense of this improvement in one Loan, to be called the "Fort Hill Improvement Loan," the items of which by approximate estimate are as follows:

| | |
|---|---|
| Land taken and damage to estates..... | $908,327 02 |
| Removal of earth..... | 100,000 00 |
| 16,100 yards paving at $3 50..... | 56,350 00 |
| 16,000 running feet flagging for street crossings ..... | 9,600 00 |
| 50 street gas lights, at $50..... | 2,500 00 |
| 3600 feet sewers, at $5 ..... | 18,000 00 |
| 60 cesspools..... | 7,500 00 |
| 3600 feet water pipe, including hydrants, stop-cocks, and service pipes | 15,000 00 |
| | $1,117,277 02 |

Add ten per cent. for contingencies, 111,727 70

Total.....,$1,229,004 72

The committee estimate the amount of land subject to assessment for betterments to be about 300,000 square feet. It is useless at this time to speculate upon the amount to be returned to the City Treasury in betterment assessments.

In conclusion, your committee desire to say that they see no escape by the city from the completion of these improvements. They have, whether wisely or not, been commenced. The grading of Oliver street has separated the hill into two parts. The depth of the cut has so sloped the grade of the banks as to render the property at some distance from the line of the street unsafe. The height of surrounding estates prevents any buildings being erected on the new grade of Oliver street, so that until the whole hill is graded, improvements must be at a stand-still.

Alderman Talbot said he did not know that he had any thing more to say on this subject besides what was contained in the report. The work of removing Fort Hill was commenced several years since, and whatever might be the cost of it, the city must complete it. It was desirable that the orders should take their final passage now, for the Common Council would soon adjourn over for the summer.

Alderman Pratt inquired what would be the entire cost of the work.

Alderman Talbot replied that the cutting through Oliver street was at the expense of the abutters. There had been some expense to the city in removing the dirt which had caved in. In estimating the expense of the cost of laying out and widening of the streets, the committee had been very careful, but could not, of course, get at it very exactly. It is believed it will not vary materially from the estimates.

The orders for the widening and grading of the several streets, were read a second time and passed, as follows:

| | |
|---|---|
| Purchase street, widening and grading.. | $226,713 80 |
| Hamilton street, " " ... | 97,636 12 |
| Sturgis street, from Pearl street to Broad street, widening and grading... | 2,404 50 |
| Hartford street, widening and grading.. | 76,087 50 |
| Washington avenue " " .... | 46,176 75 |
| High street, from Pearl street to Oliver street..... | 93,536 85 |
| Pearl place, from Pearl street to Oliver street..... | 22,470 00 |
| Wendell street grade..... | 7,700 00 |
| Washington square grade..... | 119,600 00 |
| Broad street, widening at junction with Atlantic avenue..... | 8,074 00 |

Ordered, That the Treasurer be, and he hereby is, authorized to borrow, under the direction of the Committee on Finance, the sum of one million two hundred and fifty thousand dollars, the same to be appropriated for the laying out, widening and grading of the streets on Fort Hill, and also for paving, water-pipes, sewers, cess-pools and street lamps, and for all other necessary expenses to be incurred in consequence of improving the said streets, as aforesaid, the said appropriation to be called the "Fort Hill Improvement Loan."

Alderman Pratt offered an order that the Committee on Laying Out and Widening Streets report an order of notice on the continuation of the widening of Hanover street from Blackstone street to Chelsea ferry.

On motion of Alderman Talbot the order was laid over.

Adjourned to Tuesday, July 6th.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## JULY 1, 1869.

The regular weekly meeting of the Common Council was held this evening at 8 o'clock, William G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Petitions from the Board of Aldermen were referred in concurrence.

The following orders were passed, in concurrence:

Order to pay bills of July draft of persons connected with the City Government.

Order authorizing the sale, by auction, of three estates on Matthews street, surrendered to the city by H. Bradford and the heirs of I. Packard and J. G. Russell.

Report and orders authorizing the purchase of a lot between Sterling and Windsor streets, for the purposes of a Grammar School, at not exceeding $23,000; for a loan of said sum to be appropriated for said purchase, and for plans and estimates for a schoolhouse to be erected on said lot.

The last mentioned orders were passed under a suspension of the rules, on motion of Mr. Osborn of Ward Six, who stated that the refusal of the lot expires before the next meeting of the Council, and that the purchase was a bargain which it was desirable to secure.

The resolve and order for the widening of High street, at the corner of Summer street, on motion of Mr. Snow of Ward Eleven, was referred to the Committee on Streets of the Common Council.

The report and order authorizing an additional loan of $500,000, to be applied to the construction of the Chestnut Hill Resevoir, were considered.

Mr. Ingalls of Ward 12 said he wished to hear an explanation of this request of the Water Board for the additional appropriation. There appeared to be a throwing off of responsibility by the Water Board upon the city engineer, but he could not see any definite idea or confidence in the estimates which were made as to the cost of the completion of the work. Does the Board rely upon the opinions of the city engineer, upon whom such mistaken calculations are charged? He wished to know upon what data the estimates were based. While he was willing to vote all the money which was needed, he would like to know why such a mistake was made, whether the present estimates could be depended upon, and whether they had considered the matter of finishing the work by contract?

Mr. Wadsworth of Ward Four said it must be evident to every one that the members of the Water Board cannot go into all the estimates and details of these estimates. The city has elected an engineer and placed him at their service, and they are obliged to rely upon his statements and estimates. The engineer has made a statement in which he gives the deficiencies, omissions and excesses over estimates of last year. These items he gives, many of which he could not anticipate; the items he accounts for make up $305,594 90. He says on page 31, that there are $44,837 92 unaccounted for. It would be seen that there is wanted some $422,895 60 on the estimates of the City Engineer, to complete the work, but to be within bounds the Water Board ask for $500,000.

Mr. Ingalls said he was not here last week, and had not seen the report until tonight. He had the highest confidence in the City Engineer, and would take his estimates as soon as he would those of any one else; but from the doubt expressed by the Board, he would like to know if there was any reliable data upon which the Council could act.

Mr. Wells of Ward Three wished to know whose fault it was that a mistake was made in puddling, and the construction of the embankment, and whether the President of the Water Board did not order it in opposition to the opinion of the City Engineer?

Mr. Wadsworth replied that the work referred to was done by the direction of the Committee on Construction before the present committee came into office. The Board relied on the estimates of the Engineer.

Mr. Wells repeated that the Engineer was not to blame for the directions of others. If the committee did not know their duties in the matter, they should not have accepted office.

Mr. Wadsworth said the Board and the City Engineer were agreed upon the necessity of the extra cost of removing the quicksand in laying the foundation of the effluent gate house.

Mr. Wells said he did not believe in the necessity of the measure. If the embankment had been done properly, it would never have given way. The President of the Water Board had no right to interfere, and if he countermanded the order of the Engineer, the Engineer could not be to blame for the failure of the work and the increased expense. When the Committee called for an appropriation last year they said it would be enough, but there was no certainty now that another appropriation would not be asked for besides the present one.

Mr. Wadsworth said the resporsibility for the change of the work which had been spoken of was not by the present head of the Board, but by the old President, who was not now in office. If the gentleman from Ward Three thought the appropriation was not large enough to complete the work, he would go with him for an amendment to make it larger.

Mr. Ingalls was of opinion that there might have been mistakes; but he wished to know whether the Water Board blamed the Engineer.

Mr. Wadsworth replied that the blame was chargeable upon the City Engineer and his assistant, if upon anybody.

Mr. Jenks of Ward Three was unwilling to vote any more money until it could be ascertained how much the reservoir would cost, or whether it could be dispensed with. It would cost a million of money in addition to that already expended, if things go on there as they do at the present time. A gang of men are set to work, without any head, in a particular spot, and they continue until some member of the Water Board comes out, and puts them to work somewhere else. The reservoir does not look as if it had progressed towards completion since last summer.

Mr. Keith of Ward Fifteen said it was unpleasant to say anything in complaint of public officers; but in this as in other cases there had been mistakes committed. So far as related to the facts in this case, the present President of the Board was one of the Committee of Construction, of the Board, when the deficient plan was decided upon, and was the only one who opposed that plan, and he placed his opposition upon the record. As was anticipated by him, the work proved defective. No man stood higher in the community than the President of the Water Board, nor was there one upon whom the public would rest with greater confidence of his judgment in such matters. As to the remaining members of the Board, it was not necessary to speak. They were qualified for their positions, and there was no reason to expect an improvement by another election by the City Government.

Mr. Wells inquired whether the President of the Board was not President last year.

Mr. Keith replied that he was, but the order for this work was made the year before last, before he was President.

Mr. Keith said he confessed he had less confidence in the estimates now than he had a year ago. But this was true: every step of progress made was one nearer to the completion, and from the failure of the last estimates, he did not doubt that much more care had been exercised to see that the present estimates were made as nearly accurate as possible. Necessarily some mistakes must be made in an enterprise of this kind.

Mr. Jenks moved that the report be recommitted and that the committee be directed to consult with the City of Charlestown and ascertain upon what terms a supply of water may be furnished to this city north of Dover street from the Mystic Water Works.

The motion was lost.

The rules were suspended to give the order a second reading at this time, and the order was passed by a vote of 47 to 4—Nays—Messrs. Crowley, Jenks, Wells, Woolley.

The report, resolves and orders for laying out, widening and grading streets on Fort Hill, printed

City Document No. 54, 1869, were taken up, when Mr. Keith, of Ward 15, moved that they severally be referred to the Committee on Streets of the Common Council.

Mr. Keith, in support of his motion, said there had been a large outlay of money in the commencement of this work, and although he did not like instructing committees, he wished a thorough report to be made on the subject, how much it had cost thus far, what had been done with the money already expended, whether there was a reasonable prospect of its being completed, and the cost of its completion, and whether, when completed, the advantages to be derived from it will warrant the outlay. He supposed the expenditure must have been so far from $400,000 to $500,000. If but one-twentieth part of the work had been done, he would like to know how it was possible to finish it for $1,250,000, as contemplated by the Committee on Laying Out and Widening Streets. He hoped the committee would give the fullest investigation to the subject.

Mr. Wells of Ward Three did not see how any more information could be gained on this subject than on that of the reservoir. They were both of them elephants on the hands of the city. He thought they might as well give these gentlemen all they ask, the same as they did to the board in charge of the reservoir.

The motion to refer the orders to the committee was carried.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Order authorizing a loan of $60,000, to be appropriated for the erection of a primary schoolhouse on Appleton street.

Order authorizing two thousand dollars to be transferred from the Reserved Fund to the appropriation for Ward Room, Ward Nine, Hose House No. 8.

The order authorizing a loan of $475,000, to be applied to raising the territory and buildings on the Church Street District, paying for any estates taken under the provisions of Chap. 308 of the Acts of 1867, and for damages on account of widening and extending streets was considered.

Mr. Jenks of Ward Three raised the question whether the order was properly before the Council, calling the attention of the President to the fact that at the last meeting of the Council the inquiry was made by him whether the gentleman who made the motion to reconsider had previously voted in the affirmative, on the motion to lay it on the table.

The President stated in reply that as the matter was passed upon at the time, it must be taken as standing as the judgment of the Council.

Mr. Jenks wish to know if a decision must stand when it was in violotion of the rules of the Council.

The President further replied that when an inquiry was made at the time if the gentlemen voted in the affimative and there was no reply, it was presumed the mover voted with the majority. As there was no point of order raised on such action at the time, the decision must stand.

Mr. Jenks said his colleague raised the objection twice.

The President said the presumption must be taken that the gentleman voted in the affimrative.

The order was read a second time and passed.

REPORTS OF COMMITTEES.

Mr. Flanders of Ward Five submitted a communication from the Board of Directors of Public Institutions, with a request for the extension of water pipes to Deer Island, a recent act of the Legislature having authorized such extension, and the necessities of the public institutions requiring pure water for domestic uses and other purposes. Referred to Committee on Water.

Mr. Keith, from the Joint Standing Committee on Public Buildings, to whom was referred the petition of Freeman Richardson and others, that the privies of the Comins Schoolhouse be constructed in some other location than the one proposed, having fully considered the subject, made the following report:

It is proposed to construct the privies in such a manner that they can in no way inconvenience or become offensive to the petitioners, and in the opinion of your committee this location cannot be changed without detriment to this school and seriously discommoding other parties. They would therefore respectfully recommend that the petitioners have leave to withdraw.

The report was accepted.

ORDERS PASSED.

Mr. Flynn of Ward Seven offered the following order:

Ordered, That a committee be appointed, with such as the Board of Alderman may join, to ascertain upon what terms and conditions they can purchase Ramsford Island from the State, and report to the City Council.

Mr. Gray of Ward Twelve moved to amend by substituting the Committee on Public Lands. Carried.

Motions to adjourn and to indefinitely postpone were severally lost.

In reply to various inquiries as to the necessity or reasons for the purchase of the island by the city, Mr. Flynn stated that the island had been abandoned by the State for public uses, and was now for sale. The Governor and Council have a right to sell it, and are willing to sell it to the city at a nominal price.

Mr. Flynn moved to amend the order by substituting the Committee on Public Buildings, instead of the Committee on Public Lands, the buildings rather than the land giving it the most value. As the city had been for a long time looking for a site for a Lunatic Asylum, he did not know of a better place than this island; or it might be used for an Inebriate Asylum.

The motion to substitute the Committee on Public Buildings was lost, when the order was amended by the words "be requested," and as amended, was passed.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## JULY 6, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Fifteen additional Grand jurors were drawn for the Superior Court, criminal term.

APPOINTMENTS MADE AND CONFIRMED.

*Weighers of Coal.* Samuel S. Atwood and Patrick Kelly.

*Special Police Officers.* Charles R. Smith for duty at South Boston Railroad Station; Charles W. Howe, for duty at Methodist Episcopal Church, Hanover street; Wm. H. Ryan, for duty on Atlantic avenue—severally without pay.

PETITIONS PRESENTED AND REFERRED.

Jonas H. French, for license as a manufacturer of liquors. Referred to Committee on Licenses.

Company K Ninth Infantry, for approval of Armory. Referred to Committee on Armories.

Geo. Holmes and others, for removal of a nuisance at Sixth, Seventh, K and I streets, caused by stagnant water. Referred to Committee on Health.

H. C. Angell, that the Allen street sewer be extended to Allen court.

E. N. Lord, that the sewer in Grenville street be completed.

Severally referred to Committee on Sewers.

Roberts Brothers, that certain signs and awnings at 143 Washington street be removed. Referred to Committee on Police.

P. J. Hughes and others, that Newland street be laid out as a public highway.

British and North American Steamship Co., that the road leading to their wharf be laid out as a public highway.

James Alexander, agent for North American Steamship Co., and C. F. Hovey & Co. and others, in aid of the above petition.

Severally referred to Committee on Streets.

J. Howes Dyer, for liberty to remove some trees from Forest street, opposite No. 63.

Augustus Lothrop and others, that East Dedham street be graded, so that water pipes may be laid therein.

Severally referred to Committee on Paving.

NOTICES OF INTENTION TO BUILD.

D. C. Ryder, corner of Brooks and Eutaw streets; John Murphy, corner of Church and South Cedar streets; I. & H. M. Harmon, Chauncy street, between Bedford and Summer streets; George E. Clark, Eighth street, between H and I streets; Thomas Reilly, 24 Fifth street; Patrick Kain, Dove street, between F and Dorchester streets; J. Malone, Seventh street, between E and F streets; John Mullen, D street, between Fourth and Gold streets; Wm. Kidney, Chadwick street; T. Willis Pratt, Federal street, near Washington avenue; S. P. Bennett, rear of Fruit street; J. W. Tobey, Grove Hall avenue, opposite Waverley street; J. Eichhorn, 116 Pleasant street; N. M. Jewett, Trenton street, near Eagle street; Ivory Bean, Brookline street; F. O. Clark, Atlantic street, also on National street, between Thomas and Fourth streets; Moses Libbey, Centre street, between Eliot square and Highland avenue; Wm. Sayward, corner of Decatur and Perry streets—schoolhouse; C. A. Smith, Mount Warren place; Wm. Morse, 23 Worcester square; Tolman & Hunting, 13 Essex street; Alexander Mair, 72 Charlestown and 23 Beverly streets; Slade Luther, 18 and 20 Irving street. Severally referred to the Committee on Streets.

EQUESTRIAN STATUE OF WASHINGTON.

The Mayor laid before the Board the following communication:

BOSTON, July 6, 1869.

*To the City Council of Boston:*

Herewith, I transmit to you an instrument executed by the officers of the Washington Statue Committee, a corporation established under the laws of the Commonwealth of Massachusetts, conveying to the city of Boston, in trust for its citizens, the bronze equestrian statue of Washington, modelled by Thomas Ball, a native of this city. On Saturday last the statue was surrendered by the committee to the city, and publicly received by me in your name and behalf, and is now at your disposal.

NATHANIEL B. SHURTLEFF, Mayor.

BOSTON, July 1, 1869.

*Hon. Nath'l B. Shurtleff, Mayor of Boston:*

Sir: The Washington Statue Committee,—a corporation under the laws of this Commonwealth, composed of the following named persons: Alexander H. Rice, Thomas Russell, John D. W. Joy, Charles G. Loring, Benjamin Champney, Francis H. Underwood, Warren Sawyer, George H. Chickering, Benjamin S. Rotch, and Geo. Wm. Wales,—has this day voted to authorize its officers to convey the equestrian statue of Washington, by Thomas Ball, executed in bronze, and the pedestal upon which it now stands in the Public Garden, to the City of Boston, to be held in trust for its citizens forever, as an ornament to the public grounds.

By virtue of this authority, the undersigned respectfully convey said statue and pedestal, through you to the city of Boston, in accordance with the terms of said vote: and we remain

Your obedient servants,

ALEXANDER H. RICE, President.

FRANCIS H. UNDERWOOD, Secretary.

JOHN D. W. JOY, Treasurer.

Alderman James presented the following resolve and orders:

Whereas, His Honor the Mayor has communicated to the City Council the action of the Washington Statue Committee in conveying to the city the equestrian statue of Washington, executed by Thomas Ball and erected on the Public Garden, and also his acceptance of the statue in behalf of the city.

*Resolved*, That the grateful thanks of the City Council be presented to those citizens through whose generous contributions this noble work of art has been produced, to stimulate the patriotism and cultivate the taste of the people.

Ordered, That the statue of Washington erected in the Public Garden be placed under the charge of the Committee on Common and Squares, and that said committee be authorized to have a suitable inscription engraved upon the pedestal of the statue.

Ordered, That the addresses made at the unveiling of the statue of Washington on the Public Garden, together with the communication from His Honor the Mayor to the City Council, and the accompanying papers, be printed as a city document.

The resolve and orders were read a second time and passed.

ENLARGEMENT OF THE PUBLIC LIBRARY.

A communication was received from the Trustees of the Public Library, respecting the necessary enlargement of their building, as follows:

BOSTON, June 28, 1869.

*To the Honorable Mayor and Aldermen:*

In consequence of the refusal of the Legislature, during the session just terminated, to accede to the petition of the city of Boston for a grant of land, for the purpose of erecting a new edifice for this institution, and in consequence of the acceptance, by the City Council, of the report of the Committee on Public Buildings adverse to the purchase of land contiguous to the present library estate, and also in view of the immediate necessities of the library for increased accommodations, it is incumbent on the Board of Trustees to again ask the attention of the city government to the present condition and wants of this institution.

In this connection they would suggest that it is possible that the land originally purchased for an extension of the building, situated between the present structure and Van Rensselaer place, may be adapted to fulfil its requirements for a number of years to come. To ascertain if this is practicable, with the needful preservation of light and air to the present building, and to any contemplated addition, they would

respectfully ask that the Committee on Public Buildings be authorized to advertise for plans for alterations and additions to the Library building, or that such other action may be taken as may secure this desired result.

The communication was signed by all the members of the Board.

On motion of Alderman Richards, the communication was referred to the Committee on Public Buildings, with full power to procure plans and estimates.

COMMUNICATION FROM LICENSE COMMISSIONERS.

A communication was received from the License Commissioners, under chapter 141 of the acts of 1848 and the acts in addition thereto, for the license of the sale of spirituous liquors, surrendering their property to the city, with a lease of the premises occupied by them.

Alderman Fairbanks offered the following orders:

Ordered, That the Superintendent of Public Buildings be directed to take possession in behalf of this Board, of the lease, property and fixtures belonging to the County of Suffolk, lately used by the License Commissioners of said county, and now located at 107 State street.

Ordered, That the Committee on Public Buildings be authorized to dispose of the lease of rooms at 107 State street, lately occupied by the License Commissioners of the county, and to pay the proceeds, whether by sale or lease, into the City Treasury, to the credit of the County of Suffolk.

The first order was passed, without debate.

Alderman James inquired in relation to the other, whether the License Commissioners had authority to make a lease on behalf of the city, and moved that it be laid on the table.

Alderman Talbot suggested that if this be laid on the table the action on the other order should be reconsidered.

Alderman Richards said there could be no question that some one should take possession of the property which the commissioners had given up. In relation to the lease, he inquired whether there would have been any hesitation in confirming it, had it originally been placed before the Board. It was true there had been a neglect of formality in getting a confirmation of it, but no one would desire the city to avail itself of a legal loophole to escape from the responsibility of the lease. He was willing that the last order should be laid on the table for the present.

The order was laid on the table.

At a subsequent stage of the proceedings of the Board, on motion of Alderman Richards, this order was taken from the table, and the vote on the other was reconsidered, when the orders were referred to the Committee on Public Buildings on the part of this Board.

QUARTERLY REPORTS.

Reports were received from several city officers as follows:

REPORT OF CITY PHYSICIAN.

The report of Dr. Wm. Read, City Physician, for the quarter, gives the following statements of the business of his office:

Persons vaccinated, 1136; children examined and certificates of vaccination furnished, 131; physicians supplied with vaccine lymph, 70.

SEALERS OF WEIGHTS AND MEASURES.

*Southern District.* The report of John D. Cadogan, Sealer for the Southern District, showed receipts for the quarter amounting to $299 79, all of which has been paid into the City Treasury.

*Northern District.* The report of Wm. F. Reed, Sealer for the Northern District, showed receipts for the quarter amounting to $382 75, all of which has been paid into the City Treasury.

WEIGHERS AND INSPECTORS OF BALLAST-LIGHTERS.

The report of the Weighers and Inspectors of Ballast-Lighters showed receipts for the quarter amounting to $1386 45. Expenses and rent, $61 18; leaving a net income of $1325 27, which was divided among the incumbents.

REPORT OF CHIEF OF POLICE.

The report of the Chief of Police, for the quarter, gives the following statistics:

*Arrests*, 5201—males, 3926; females, 1275; Americans, 1408; foreigners, 3793; non-residents, 1033; minors, 966; committed, 3321.

*Lodgers*, 6476—males, 5443; females, 1023; Americans, 2433; foreigners, 4043; non-residents, 4994; minors, 879.

*Lockups*—Committed, 2712; males, 1926; females, 786; foreigners, 1646; Americans, 1066.

*Nature of Crime.* The principal causes for arrests were as follows: Assault and battery, 343; breaking and entering, 48; common drunkards, 113; drunkenness, 2370; disturbing the peace, 159; disorderly, 780; larceny, 195; night-walking, 73; suspicious persons, 309; suspicion of larceny, 57; truants, 86; vagabonds, 56.

*Statistical Statement.* Amount of property taken from prisoners and lodgers while in custody and restored, as per their receipts, $14,132 47; amount of property reported stolen, $29,433; amount of property reported recovered, $15,329 12; amount of fines imposed, $10,251 02; amount of witness fees earned, $2776 05; number of days spent in Court, 2014½; aggregate amount of imprisonment imposed, 238 years, 6 months, 16 days; number of despatches sent over police telegraphs, 824; number of larcenies in stations, 391; number of arrests in the same, 215.

*Miscellaneous.* Attempts at suicide, 1; accidents, 120; arrested on warrants, 204; buildings found open and secured, 571; boats challenged, 991; cases investigated, 424; disturbances suppressed, 1917; defective lamps, 3376; defective hydrants, 31; defective drains, vaults, &c., 152; dead bodies provided for, 23; dangerous buildings, 27; extra duty done by officers, 962; intoxicated persons helped home, 370; lost children, 356; streets and sidewalks reported and repaired, 944; streets and sidewalks reported, 834; street obstructions removed, 7834; vessels boarded, 374.

The Chief of Police states in conclusion:

"During the last financial year I have received and put into the City Treasury the sum of $8418 70 for extra police service, hack and wagon licenses. In the three months ending June 17, for hacks, $17; for extra police service, $776 21, amounting in all to $793 21."

HEARINGS ON ORDERS OF NOTICE.

The orders of notice on the proposed construction of a sewer in Tremont street, between Washington and Parker streets, and the petition of Samuel A. Way, for leave to erect a stable on Hudson street, near Curve street, and on the proposed widening of East Castle street, were severally taken up.

C. U. Cotting appeared on behalf of W. S. Dexter in the case of widening of East Castle street, and stated that while Mr. Dexter did not object to the widening of the street, he wished to preserve his rights by objecting to be assesed for the betterment of the estate, not believing that the supposed improvement would warrant any such assessment for betterment.

Alderman Talbot reminded the remonstrant that he had his remedy in the abandonment of the property to the city if he did not believe it would be bettered.

The several reports were recommitted.

HEARING ON PROPOSITION FOR A UNIFORM NAME TO CHESTER SQUARE AND PARKS.

The hearing of parties advocating or opposing the proposition to give one uniform name to East Chester park, Chester square and West Chester park was taken up, by assignment.

In the delay of appearance of witnesses for petitioners, Alderman Richards inquired if the further testimony for them was merely cumulative.

Mr. Somerby, for petitioners, replied that it would be mainly.

Alderman Talbot stated that the Directory is out for the coming year, and there could be no change in it in the numbering now, if a new numbering should take place, and inquired whether there could be any objection to referring the matter to the next Board of Aldermen.

Mr. Somerby said it was no fault of the petitioners that the change was not made in season, the hearing having been postponed for several weeks. Mr Somerby objected to proceeding with an argument until the remonstrants had made their objections, and Mr. Ranney did not wish to call witnesses for the remonstrants until the petitioners had put in all their case.

Alden Avery was called for the petitioners.

Mr. Avery, who had lived on Chester park from the start, spoke of the annoyance from duplicate and triplicate numbers, and referred to Concord street and square as an instance in which contin-

nous numbers might be used through such places, allowing numbers for vacant lots. He did not care what the street might be called, provided the numbers were continuous. He had been troubled about letters and trunks, and the constant mistakes made the people acquainted with all the internal regulations of their neighbor's families. He was confident that his neighbors on the square, of the same number, must have been annoyed from his laborers calling there by mistake for their pay, and his wife on carrying home a letter to the corresponding number, found a lady in great distress on account of the delay of the letter, which she had expected.

Mr. Avery did not think there could be any objection to the name of "park" in place of "square," as in the case of Union park. There was a prejudice, he said, against the designation "East" to many of the streets in that vicinity, and in a recent sale of land on East Newton street, the leaving off of the designation "East" he doubted not favorably affected the sales. Lots brought nearly a dollar a foot more at this sale than they did on East Brookline street two years since. He had no doubt that, in giving one name with continuous numbers, it would add $15,000 in value to the city property east of Harrison avenue.

Joshua Merrill, residing at 23 East Chester park, for three years, said it was a constant annoyance to have miscarriage of letters and packages, and on the 17th June last he lost some goods which were ordered for his house. The annoyance was increasing on account of the increase of population, and but a short time since in his absence his wife was awakened in the night by hackmen who insisted upon leaving an inebriated man who did not belong there, for the reason that as the number was the same they were directed to, the man must belong there. He never heard who the person was, who was finally taken away.

James M. Usher, in a residence in Chester park part of the time for four years, was subject to similar annoyances as testified to by others, and this after giving particular directions as to the distinctions in the several names. On one occasion he was obliged to supply a pulpit at short notice, after engaging another person to do so, and was blamed by the person in question because he could not find his house, although the directions were plain.

Edward Wyman, residing at 17 Chester park, now East Chester park, testified to the annoyance of triplicate numbers. In one instance he sent his daughter three hundred miles, and but for the delay of a letter by such difficulty he would not have sent her. Bundles often went wrong when rightly directed. In reply to a question whether there would not be some difficulty from the numbers, under the designation "East" and "West," he thought there might, but it must be less than now.

Nathaniel Brewer, residing at No. 37 Chester park, stated that the difficulties from duplicate numbering were of constant occurrence. But a few days since a teamster insisted upon leaving a load of coal at his residence, and with great difficulty was induced to make further inquiries before dumping the load.

John B. Babcock, No. 47 Chester park, supposed he was more annoyed than the others, from being next to the corner, in the constant inquiries. Some one came to his house, yesterday, who could not find Charles B. Hall, living in Chester square. A few days since a teamster backed a load of stone for building purposes with difficulty into the passageway into the rear of his house, and insisted upon leaving it. Even a hackman living in the neighborhood made mistakes in relation to his house, and servant girls often came there for places, stating that they were sent there.

Mr. Babcock further stated that there were ninety duplicate numbers and thirty-five triplicate in those streets, with a constant increase in the triplicate numbers.

Mr. Somerby put in three letters from other parties in favor of a uniform name and numbering, and this closed the testimony on behalf of the petitioners.

A. A. Ranney said he appeared not so much as counsel as one of the residents of that vicinity. He proposed, therefore, to occupy but a short time, and would call a few witnesses.

Charles B. Hall, resident of Chester square, stated that he took round a paper against a change of name, and found the feeling almost unanimous against a change of name or number of the street, and he learned from Mr. Nichols that the same was equally true of West Chester park. Of the 89 lots on the square, 87 were occupied; six of the occupants would not sign any paper; two were occupants as lessees; seventy-six protested against any change or numbers of the houses on the square. He was of opinion that the annoyances were greater ten years ago than they are now. So far as related to the names of some of the remonstrants on the petition for a change, those petitions were signed on the understanding that the numbers and not the street were to be changed, and the remonstrance had been signed since that of the petition. Mr. Bowditch was quoted, as authority, that no name of a street should be changed except through the greatest necessity. In his own experience, mistakes were made, yet they were from blunders, rather than misdirection. On inquiry at the leading dry goods stores, he was assured that they knew of but little difficulty through misdirection. Many residents on Chester square bought their property with a view to the name, and believed it would be to their disadvantage in having a change of name. He saw no objection in numbering east and west from Washington street as with some streets now, and from a similar division in New York and Philadelphia.

Mr. Hall did not think it desirable to make a change now, for a further reason, that the Directory for the coming year was out, and the numbers could not be changed in it. The annoyances were through blunders and carelessness rather than misdirection, and he could see no advantage in the suggestion of Mr. Somerby in giving one name to the several streets, and retaining the name "square" with a continuous numbering through the whole. There would still be confusion. He did not think any particular name would improve the value of property. In addition to the witnesses who appeared here, he had several letters in opposition, which he would submit to the Board.

Samuel D. Crane said he thought he was cognizant of all the facts in relation to the naming of the streets, and gave a history of the several measures in connection with the names and the changes which had been proposed. He did not doubt that the street would be extended to Dorchester, on the east, and to Brookline, on the west, and there could be no continuous name and numbering, for there could be no place for a beginning. He had not been subject to annoyances by the duplicate numbers, and did not object to the taking of any name by the people of other portions of the street. The residents of Chester square had not sought this matter, and desired only to be let alone.

Henry L. Hallett, as a resident of Chester square for ten years, said the people there were very contented, and did not wish for any change. If any person in Chester park wished a new name, they had no objection to it, and desired only to be let alone. In relation to a change in the name of street to avenue, he presumed at some time that the street or avenue would run east to Dorchester and in the other direction to the Milldam, and if numbered continuously, it would create more difficulty than can now be conceived of. It would be objectionable to call it an avenue, and a person desirous of reaching a certain number—900 for instance—would not only not know where it was, but might be carried to some point on the avenue as far off as when he started. He had not been subjected to annoyance, and did not want the people of East Chester park to take away their name.

Wm. F. Nichols in behalf of the people of West Chester park, said they asked for no change and wished no change. It was rare that any bundles came to West Chester park that did not belong there, or that they lost any by going elsewhere. On inquiry of the porter in his store (Chandler & Co.) he was assured that he never had any difficulty in regard to the difference of the names or numbers. He had no objection to giving the designation "East" to all that portion of the street east of Washington street.

Alderman White moved a postponement of the hearing to Monday next, as it did not appear to be through and there was much more business to be done. Lost.

Mr. Ranney, in behalf of remonstrants, said he was nearly the oldest resident on the square, and for a few years he was subject to some difficulties, but those were now rare. By putting on the "East" east of Washington street the annoyances had been lessened, and so far as difficulties were

experienced, they related to bundles mainly and were not so important as to require a change of name. The residents on the square signed the remonstrance, not thinking it necessary to be present, otherwise they would all have been here.

Mr. Somerby said he appeared for residents of Chester park, East and West Chester park, and Chester square, and for some who were not residents on either of those streets, but were subject to annoyances by the confusion of names and numbers.

After alluding to the difficulties arising from duplicate and triplicate numbers, he contended that no serious objection had been made by the remonstrants to a change. To many persons, boys and servant girls, the distinction was not a clear one between park, square, and street, and having in view the number merely, on finding the number they are in search of, they conclude they are right, and cannot readily understand their mistake. In asking for a change, the petitioners did not wish to take a dollar from the value of the property of the residents in the square, but they wished to be relieved of the difficulties to which they were subject, and did not think it unreasonable that the City Government should remove the disabilities. The people of Chester square might still retain the name of square, if they chose to, under a continuous numbering. In the measure asked for, it would make the value of property more certain.

The arguments being closed, the question was stated as being on a recommitment.

Alderman Baldwin opposed a recommittal of the matter, on the ground that the petitioners wished the Board would settle it, and moved that the prayer of the petitioners be granted. That there had been great annoyances from the conflicting numbers he had no doubt, and in contending for a change, he assumed that the base of numbering must eventually be Tremont street, from which the numbers must run east and west. He was in favor of granting the prayer of the petitioners, but would wait for any proposed amendments.

Alderman Pratt said he believed there were good grounds for a change of name and numbers, and to meet the difficulties he had drawn an order, which he would offer. He would propose commencing the numbering at the water side, and offered an order to that effect, No. 1 to commence on the north and No. 2 on the southerly side, and running west, in the usual manner.

Alderman Baldwin offered an order as an amendment, as follows:

Ordered, That those portions of East Chester park and Chester square lying east of Tremont street be hereafter called and known as East Chester avenue, the numbers to commence at Tremont street, and that West Chester park be hereafter called West Chester avenue, the numbers thereof to commence on Tremont street.

Alderman Talbot wished to know whether this would be in accordance with the prayer of petitioners, when the petition was read.

The question being stated that there were two amendments proposed to the original motion, Alderman Baldwin withdrew his first motion and moved the last order proposed by him as a substitute for that of Alderman Pratt.

Alderman James moved an indefinite postponement, which was lost by a vote of 4 to 7, as follows: Yeas—James, Richards, Seaver, Talbot. Nays—Baldwin, Bradlee, Fairbanks, Hawes, Pratt, Rice, White.

The question being upon adopting the substitute of Alderman Baldwin,

Alderman Talbot said the Board should hesitate on establishing a new line of numbering from Tremont street, when other streets are numbered from Washington street. It was the duty of the Board, he thought, to let the matter alone. The subject had been rather mixed and was not always clear to him when he saw houses advertised on those streets; if there was to be any change, it should be from Washington street, but he trusted there would be no change.

Alderman Richards was of opinion that any change would create confusion. The change from Chester park to East Chester park had lessened the difficulty seventy-five per cent., and now it is proposed to increase that difficulty. If a new name is given and new numbering east and west of Tremont street it would lead to still greater confusion. If there must be a division, Washington street is the proper division.

Alderman Bradlee thought it should be the policy of the city to simplify the numbering of streets, and he was much impressed by the argument of Alderman Baldwin that Tremont street was the more natural division. He did not, however, believe it expedient to make that division now, and moved to strike out Tremont street and insert Washington street.

Alderman Baldwin said he would accept the amendment, and the order was modified to read as follows:

Ordered, That the portion of East Chester Park lying east of Washington street, be hereafter called and known as East Chester avenue, the numbers to commence at Washington street, and that Chester Square and West Chester Park be hereafter called West Chester avenue, the numbers to commence at Washington street.

Alderman Pratt opposed the amendment, which was carried, by a vote of 8 to 3, as follows:

Yeas—Baldwin, Bradlee, Fairbanks, Hawes, James, Rice, Richards, White.

Nays—Pratt, Seaver, Talbot.

As amended, the order was adopted, by a vote of 6 to 5, as follows:

Yeas—Baldwin, Bradlee, Fairbanks, Hawes, Rice, White.

Nays—James, Pratt, Richards, Seaver, Talbot.

### UNFINISHED BUSINESS.

The following orders, as unfinished business, were read a second time and passed, a substitute being adopted for that for payment to George Howe, increasing the amount on account of additional land included in the measurement.

Ordered, That there be paid to H. Filhiol, guardian of Roger Herring, $2615 80 for land taken and damages occasioned by the widening of Marion, now Melrose street, under resolve of July 18, 1868.

Ordered, That there be paid to the Boston Wesleyan Association $944 for land taken and damages occasioned by the widening of Bromfield street, under resolve of June 28, 1869.

Ordered, That there be paid to S. & A. R. Whittier $4295 35, for land taken and damages occasioned by the widening of Harrison avenue, under resolve of June 28, 1869.

Ordered, That there be paid to George Howe $97,435 for land taken and damages occasioned by the widening of Devonshire street, under resolve of April 11, 1868, $180 of the amount being the sum collected for the sale of old building materials on the estate No. 26 Devonshire street.

Ordered, That the Superintendent of Streets be authorized to reset the edgestones, repave the gutters and sidewalks and grade the roadway of Rochester street, at a cost of $1200.

Ordered, That the Superintendent of Streets be authorized to gravel the unpaved portion of Marginal street, East Boston, at an estimated cost of $1000.

### PAPERS FROM THE COMMON COUNCIL.

The request of Directors for Public Institutions for the immediate conveyance of water to Deer Island, was referred to Committee on Water in concurrence.

The report leave to withdraw on petition of Freeman Richardson and others for a change in location of the privies of the Comins School House, was accepted, in concurrence.

The order for Committee on Public Lands to inquire on what terms the purchase of Rainsford Island can be made, was passed.

The report and order for erection of a Primary School House on Appleton street, at a cost of $60,000, was read twice, and passed, in concurrence.

### REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported licenses for one newsboy and two boot blacks. Accepted.

Alderman White also reported licenses as a victualler, to keep an intelligence office, and for billiard saloons. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intentions to build. Accepted.

Alderman Seaver, from the Committee on Markets, reported leave to withdraw on the petition of the Massachusetts Charitable Mechanic Association, for leave to erect a temporary building on Merchants row. Accepted.

Alderman James, from the Committee on Paving, reported leave to withdraw on petition of F. S. Storer against the removal of any wooden buildings from Lenox street to Northfield street. Accepted.

Also leave to withdraw on the petition of J. E. & N. Brown that High street be closed while building operations are in progress, and on petition of Wm. M. Flanders and others that the gutters in Edinboro' street be paved and the roadway be Macadamized, for the reason that it is not a public street. Severally accepted.

Alderman Talbot, from the Joint Standing Committee on the City Surveyor's Department, reported that after consultation with the City Surveyor and with the Committee on Laying Out and Widening streets of the Board of Aldermen, they are of the opinion that a more accurate survey of the streets in Boston Highlands is necessary for the purpose of ascertaining and defining the present lines of the streets, also for the purpose of widening and changing the streets and laying out new ones; they would therefore recommend the passage of the accompanying order:

Ordered, That the Auditor of Accounts be and he hereby is directed to transfer from the Reserved Fund the sum of $5000, the same to be appropriated for a survey of the streets in Boston Highlands, to be made under the direction of the City Surveyor, and the approval of the Committee on the Surveyor's Department.

Read twice and passed.

Alderman Bradlee, from the Committee on Ordinances, reported an ordinance to amend an ordinance concerning the public buildings, which provides that in the printed ordinance relating thereto, in the place of "five," third line of section 4, second line of section 7, and fifth line of section 8, respectively, "fifteen" should be inserted. The ordinance was read twice and passed.

Alderman Bradlee also reported an ordinance to amend an ordinance in relation to common sewers and drains. The ordinance provides for an addition to section 1, printed ordinance relating to sewers, as follows:

"On or before the 10th of January, annually, the said Superintendent shall make a report to the City Council, containing a statement of the expenditures, income and business of his department during the preceding year, a schedule of property belonging to the department, and such other information or such suggestions as he may deem expedient to present."

Section 8, the last three lines in section 11, and section 13, are stricken out; in line six, section 14, "twenty" is substituted for "fifty," and in line five, section 12, "or Superintendent of Sewers" is substituted for "or some person by them authorized."

The ordinance was read twice and passed.

Schedules of assessments for construction of sewers in Monmoth, Gates, Tremont, High, Blossom, Sixth and M, Ninth, F, Old Harbor and Eighth streets, Mount Pleasant avenue and Forest street, were received from the Superintendent of Sewers. Severally referred to the Committee on Sewers.

ORDERS OF NOTICE.

Orders of notice were adopted for hearings on Monday next, as follows:

On the proposed construction of a sewer in Bowker street; also in Avon place; for a sewer in Albany street from Sharon to Newton streets, and in Newton street from Albany street to Harrison avenue; also for a sewer in Commercial street between Richmond and State streets, in the street east of the Custom House; in India street between the Custom House and Export street, and in street north of Central wharf from State Street Block to the end of the wharf.

Orders of notice for hearings on July 19th were adopted as follows:

On the proposed laying out of Worcester street from Water Power Co.'s old line to Columbus avenue; Lawrence street, between Berkeley and Dartmouth streets; West Chester avenue, between old line of Water Power Co. and Columbus avenue; Newbury street, between Berkeley and Clarendon streets; West Springfield street, from Water Power Co.'s old line to Columbus avenue; Chandler street, from Berkeley street to Columbus avenue; Columbus avenue, from Northampton to Ferdinand streets.

On the petition of the Winthrop Railroad Co. that their location in 1865 may be confirmed, a hearing was ordered for July 26th.

THANKS TO THE FOURTH OF JULY ORATOR.

On motion of Alderman White,

*Resolved*, That the thanks of the City Council be presented to the Hon. Ellis W. Morton for the eloquent Oration delivered by him before the Municipal Authorities of Boston on the occasion of the ninety-third anniversary of the Declaration of American Independence, and that he be requested to furnish a copy of the same for publication.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the street extending from Pleasant street to Ferdinand street, heretofore known as South Cedar street, be hereafter called and known as Winchester street.

Ordered, That the City Treasurer be and he is hereby authorized to abate the sidewalk assessment of $85 07 against the estate of Thomas J. Geyer, 38 and 42 Cottage street, East Boston.

Ordered, That the Chief of Police notify the owners and abutters on Brooks street, between Monmouth and Bennington streets, to furnish new edge-stones and to lay their sidewalks with bricks.

On motion of Alderman Richards,

Ordered, That the Committee on Public Buildings on the part of this Board be authorized to put in a new boiler and repair the heating apparatus in the Probate building, at an estimated cost of $1000, to be charged to the appropriation for the County of Suffolk.

On motion of Alderman Talbot,

Ordered, That the Committee on Laying Out and Widening Streets, in removing the Hotel Pelham, so called, from off the line of Tremont street, as widened by authority of the City Council, be authorized to employ John W. Leighton for the performance of the necessary mason work.

Ordered, That East Castle street should be widened by taking 2360 square feet of land from Samuel A. Way; by taking 416 square feet of land of Wm. S. Dexter; 660 square feet of land from Jonas Glover; 540 square feet of land from Susan D. Burroughs, 541 square feet of land belonging to the heirs of Faist Nordenshield; 1325 square feet of land belonging to Wm. R. and A. A. Lawrence, amounting in all to 5843 square feet, the total expense being $62,315 75.

Ordered, That a parcel of land belonging to the Central Wharf and Wet Dock Company, beginning on the westerly line of Atlantic avenue, and another parcel beginning on the easterly line of said Atlantic avenue, be taken for the purpose of laying a main drain or common sewer, at no expense.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

### JULY 8, 1869.

The regular weekly meeting of the Common Council was held this evening, at 8 o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The quarterly reports of the City Physician and of the Inspectors of Ballast Lighters were ordered to be placed on file.

The resolution of thanks to Hon. Ellis W. Morton for the oration delivered by him on the 93d Anniversary of American Independence, and requesting a copy for publication, was passed in concurrence.

The resolve and order for the widening of East Castle street, at an expense of $62,315 75, was referred to the Committee on Streets on the part of the Common Council.

The order authorizing the employment of J. W. Leighton to do the necessary mason work in removing the Hotel Pelham off the line of Tremont street, was read twice and passed, in concurrence.

The resolution of thanks to those citizens who presented to the city the admirable equestrian statue of Washington, recently erected on the Public Garden, was passed in concurrence.

The order referring the communication of the Trustees of the Public Library, in relation to a proposed addition to their edifice, to the Committee on Public Buildings, with power to procure plans and estimates, was passed, in concurrence.

An ordinance to amend an ordinance in relation to sewers, recommended by the Committee on Ordinances, being on its passage,

Mr. Jenks of Ward Three opposed further action tonight on matters the first time brought to his notice, and moved that it be laid on the table.

The motion was modified, on suggestion and motion of Messrs. Snow of Ward Eleven and Ingalls of Ward Twelve that the ordinance be printed and distributed, and further action postponed to the next meeting. As amended, the motion was carried.

An ordinance to amend an ordinance in relation to Public Buildings, on motion of Mr. Jenks, was disposed of as in the case of the previous ordinance.

The report and order, transferring from the Reserved Fund $5000, to be appropriated to a survey of the streets in Boston Highlands, were read twice and passed; yeas 43, nays none.

Mr. Ingalls of Ward Twelve made an inquiry relative to a proposed amendment of the joint rules and orders of the City Council.

Mr. Tucker of Ward Six stated that the committee had received no notice of any meeting in relation to the matter.

Mr. Snow of Ward Eleven moved that the Council adjourn, but withdrew the motion at the request of

Mr. Jenks of Ward Three, who wished to inquire of the Committee on Public Instruction the particular location of the schoolhouse site which the Council voted at its last meeting to purchase. He had understood it was in a bog hole, on an unaccepted street, four feet below the grade of other streets, and that it would cost more in driving piles for the foundation and in filling than it would to purchase a site for the schoolhouse on Tremont street.

Mr. Osborn of Ward Six replied that the location was in the same style of a bog hole as the elegant churches in Berkeley street might be said to be, or of many schoolhouses built on made land. It was on the land of the Tremont Improvement Company, in which hard clay was found six and one-half feet below the surface, and it was possible that it might be expedient to go down to this hard pan for a foundation rather than of piling. The piling would cost $2200 dollars, at the rate of seven cents a foot. There was no other land suitable for the purpose to be found in the vicinity, to be had at a cost less than $1 25 per foot, which would be fifty-five cents per foot more than this cost. It was true this was on filled land, as a large portion of the city was, and on such land are many of the finest dwellings, the most elegant churches and the best schoolhouses, the land being filled up to the depth of twenty feet.

This land will be filled up to a grade of eighteen feet, and makes a part of a square of 300 feet conveyed to the city of Roxbury. He could not say whether the street was not accepted because it was not up to the grade, but it was very likely to be so, as with other streets of the same character in the city. The company was under obligation to fill it, or instead of filling it themselves will allow the city to do so, for which it has greater facilities, and will pay the cost of filling. They are willing, also, and will agree to convey to the city the fee in the streets.

Mr. Jenks said he supposed the object of getting the schoolhouse located there was for the purpose of getting the street accepted.

Mr. Osborn said he hoped if the gentleman knew more in relation to the matter than the Committee did, that he would tell it, and not make insinuations, but state what he knew in plain words. The location of the schoolhouse is just where the School Committee wished it. The Chairman of the sub-committee of the School District volunteered to come before the Committee on Public Instruction, and did come before them and argued strongly in favor of the location. He also brought with him several worthy citizens who earnestly urged the location on this lot of land. He had heard of a gentleman who wanted to purchase this land because he thought the city must have it, and be obliged to pay him a handsome profit on it.

Mr. Jenks replied that it was not his nature to insinuate; what he believed he was willing to say openly and frankly, like a man, and was ready to be responsible here and elsewhere for his statements.

Mr. Wells of Ward Three said he was in hope that the Chairman of the Committee on Public Buildings would tell here what he did in that Committee in relation to this matter. He would never vote a dollar for the building of a schoolhouse in such a place. He wished to know who was to fill this land.

Mr. Ingalls of Ward 12 raised a point of order that there was no question before the Council.

The Chair ruled that the point was well taken.

Mr. Snow now renewed his motion to adjourn, and it was carried, and the Council adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, JULY 12, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Weigher of Coal—Allan W. Burnham.

Special Police (without pay)—Lewis Morse, for duty on Federal, High, Congress and Summer streets.

Agent for the Sale of Liquors—Samuel M. Colcord, to be agent for the sale of spirituous liquors to be used in the arts, or for medicinal, chemical and mechanical purposes, and no other, under sec. 171, chapter 415, Acts of the Legislature, 1869.

ASSISTANT CITY CLERK.

A communication from the City Clerk, in accordance with the ordinance passed May 10, 1869, announced the appointment by him of Charles R. Alley as Assistant City Clerk, for the remainder of this municipal year. The appointment was confirmed.

PETITIONS PRESENTED AND REFERRED.

A. M. Leavitt and others, for a new street from Woodville square to Dorchester.

Charles D. Cobb & Brothers and others, for the extension of Hayward place to Chauncy street.

S. C. Bixby and others, that a public square be opened at Guild row, and that Shawmut avenue, near that locality, be widened and straightened.

Severally referred to the Committee on Streets.

H. W. Eames & Co., for leave to erect a stable for nine horses on Berkeley and Providence streets.

Howard Snelling & Co., for a stable for more than four horses at 521 Commercial street.

Severally referred to the Committee on Health.

Chester H. Graves, for a license to manufacture and sell alcohol at 35 Hawkins street. Referred to the Committee on Licenses.

S. S. Rowe and others, that East Dedham street, from Harrison avenue to Albany street, be graded.

Isaac Worsley and others, that Prospect street be repaired.

Emery Souther and others, that Lyman street be paved with Nicolson pavement.

Edward H. Maxwell, that sidewalks be laid on a portion of East Chester avenue and Northampton street.

Peter C. Jones & Son, for compensation for change of grade in Water street.

J. D. & N. M. Lilley and others, that the wooden pavement on Court street be extended to Tremont street.

Severally referred to the Committee on Paving.

Edwin Pinkham and others, for a sewer in Princeton street, near Eagle square.

C. W. Wood, for a sewer in Bainbridge street to the top of the hill.

Jeremiah Kittredge's heirs, that a new sewer be laid in Friend street, near their estate.

Severally referred to the Committee on Sewers.

Company K, First Regiment Infantry, for approval of their armory. Referred to the Committee on Armories.

FREE CONCERTS AND THE PURCHASE OF THE COLISEUM.

The petition of Wm. Schouler and others was presented, that a free concert be given to soldiers' families at the Musical Festival Building, for reasons as follows: "They have been deprived of what so many thousands have enjoyed, on account of the high prices of admission. Prove to them that those who bravely fought for the preservation of the Union and the restoration of peace are not entirely forgotten, as without their labor perhaps the occasion of a peace jubilee would never have occurred."

Alderman Seaver said the matter of free concerts for the families of soldiers and sailors was just his idea, and moved a reference of the petition to a special committee, to report on the subject. He did not, however, wish to be appointed on the committee.

Alderman Richards said he did not see any great necessity for additional provision for cheap concerts in the Coliseum building, as one was now advertised at twenty-five cents, which was cheap enough. To have them free, there would not be much chance for comfort.

Alderman Seaver said it was the free one which he wanted, and there could not be anything done to make this administration more popular than such concerts. The class of people to be benefited could not afford to pay for the enjoyment of the concerts which had been given. It would be a green spot in the affairs of the city to carry out such a measure.

Alderman Talbot suggested as an amendment to the motion to refer the petition to a committee; that the committee inquire into the expediency of obtaining possession of the Coliseum building by the city. The building was now in the hands of the Executive Committee, and would pass into the hands of the contractor on the 1st of August. It was not certain that it could be obtained by the city, but no harm would come from looking into the matter.

The motion was modified as suggested, and the order was passed, as follows:

Ordered, That the petition of Wm. Schouler and others that a free concert for families of soldiers and sailors be given in the Musical Festival building, be referred to a joint special committee, with directions to inquire into the expediency of the city's obtaining possession of said building for public purposes.

Aldermen Seaver and Talbot were appointed on said committee.

Alderman Seaver asked to be excused from serving on the committee, having as much business as he could attend to.

A motion to excuse him from the committee was lost.

NOTICES OF INTENTION TO BUILD.

Small & Post, Avon place; Owen Sullivan, P street, between First and Second streets; Rev. Jos. Coslin, church, on Sumner street; W. L. Ryder, Trenton street, between Brooks and Marion streets; H. Snelling & Co., 521 Commercial street; Burrill & Whitney, Second street, between F and Dorchester streets; Whittlesey & Coffin, corner of Summer and High streets; M. T. & Wm. Glynn, Seventh street, between E and F streets; Hartwell & Swasey, 16 Mt. Vernon street; Asa Lewis, 24 Somerset street; Geo. Schell, 1104 Tremont street; J. M. Marston, 2167 Washington street; E. A. Knowlton, 11 Wheeler's court; Boston Highlands M. E. Church, Warren street, between Rockville place and Moreland street; T. B. Swett, Ruggles place. Severally referred to the Committee on Streets.

RAILROAD LOCATION.

A notice was received from the Boston & Albany Railroad Company of the proposed taking of land for depot purposes. Ordered to be placed on file.

AUDITOR'S MONTHLY EXHIBIT.

The Monthly Exhibit of the Auditor was laid before the Board, dated July 8, presenting an exhibit of the general and special appropriations for the present financial year of 1869–70, as shown in the books in his office, July 1, 1869, including the July Draft, being three months' payments of the financial year, exhibiting the original appropriations, the amount expended, and the balances of each unexpended at that date. The recapitulation is as follows:

| | Appropriations, Revenues, etc. | Expended. | Unexpended. |
|---|---|---|---|
| General..... | $8,713,056 80 | $1,647,939 93 | $7,065,117 87 |
| Special..... | 3,653,320 81 | 638,429 52 | 3,014,891 29 |
| | $12,366,377 61 | $2,236,368 45 | $10,080,009 16 |

Ordered to be sent down.

QUARTERLY REPORTS.

Quarterly reports were laid before the Board, as follows:

HAYWEIGHER'S REPORT.

*Northern Scales.* The Hayweigher for the Northern Scales reports as his receipts for the quarter, for weighing, $797 56, forty per cent. of which, ($319 02) less expenses, $9 45, amounting to $309 57 has been paid to the City Treasurer.

Read and ordered to be sent down.

SUPERINTENDENT OF PUBLIC LANDS.

The report of the Superintendent of Public Lands showed the following results for the quarter ending June 30:

Two lots on Brookline and Pembroke streets, east of Tremont street, 15,764 square feet, $1 86.25 per foot, $29,379 09; four lots on East Newton street, 7820 feet, $1 25 per foot, $9775; one lot on East Malden street, 15,028 feet, 87½ cents, $1349 50; one lot on Albany street, 3838 feet, $1 25 per foot, $4797 50; one lot on M street, opposite Independence square, 15,700 feet, 65 cents, $10,205; five lots on Broadway, between K and M streets, 18,625 feet, 65 cents, $12,106 25. Total, 22 lots, 70,775 feet, $79,410 34. Of this amount, there has been received and paid into the city treasury $8049 34; in bonds $71,361. The expenditures have amounted to $6150 04, including $2732 40 paid to William Richardson for 1366 2-10 feet of land on Harrison avenue near Dover street, per order of the City Council. Laid on the table and ordered to be printed.

SUPERINTENDENT OF HEALTH.

Expenditures for the quarter are reported by the Superintendent, as follows:

Sweeping and cleaning the streets, removal of offal and ashes, abating nuisances, cleaning cesspools, &c., $73,492 85. The demands against sundry persons for abating nuisances, teamwork, and material sold, the same having been deposited with the City Treasurer for collection, $7383 56. The amount paid into the city treasury, and the same placed to the credit of this department for the quarter, $12,170 84. The number of prisoners conveyed from the several station houses to the city lock-up under the Court House was 2240—males, 1555; females, 685.

Read and ordered to be sent down.

REPORTS OF TRUANT OFFICERS.

The combined reports of all the truant officers show the following result for the quarter:

Number of cases investigated, 4174; old truants, previously reported, 24; new cases, 159; found to be truants, 183; aggregate absences by truancy, 873.

Before Justices of the Municipal Court—complained of as habitual truants, 38; on probation, 9; sentenced to the House of Reformation, 29; complained of as absentees, 23; on probation, 8; sentenced to the House of Reformation, 15.

Before Judge of Probate—complained of for offences other than truancy, 15; on probation, 1; sentenced to State Reform School, 8; sentenced to the School Ship, 4; sentenced to Industrial School for Girls, 4.

Read and sent down.

REPORT ON SOLDIERS' RELIEF.

The report of the Paymaster of the Soldiers' Relief Committee showed the following result:

| | |
|---|---|
| Balance on hand April 1 | $164 |
| Received from the Treasurer of the city at various times | 26,000 |
| Total | $26,164 |
| Disbursed to disabled soldiers and sailors and their families during the three months | 25,256 |
| Balance on hand | $908 |

The largest number who obtained relief in the several wards, and the amount of relief furnished for the three months, was as follows:

| Ward. | Persons. | Amount. |
|---|---|---|
| 1 | 91 | $1,736 |
| 2 | 134 | 2,549 |
| 3 | 97 | 1,759 |
| 4 | 59 | 987 |
| 5 | 129 | 2,416 |
| 6 | 47 | 730 |
| 7 | 180 | 3,556 |
| 8 | 88 | 1,582 |
| 9 | 56 | 783 |
| 10 | 75 | 1,517 |
| 11 | 71 | 1,246 |
| 12 | 69 | 1,278 |
| 13, 14, 15 | 177 | 3,222 |
| Out of State | 49 | 834 |
| U. S. Navy | 61 | 1,061 |
| | 1381 | $25,256 |

Read and ordered to be sent down.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the proposed construction of a common sewer in Commercial and India streets, and in the street north of Central wharf, was taken up.

C. A. Welch read a protest of the Central Wharf and Wet Dock Co., signed by G. Foster Williams, as President of the corporation.

The remonstrants set forth that they had heretofore at various times represented the injury which it would be to them and to the navigation of the harbor, from the construction of a drain down their wharf, emptying the contents of the sewer and the filth into slack water at the end of the wharf, and they had furnished reliable testimony to that effect; but as the Board still adhered to their opinion, they could only call attention to the fact that there was a bar from 45 to 50 feet from the end of the wharf; that there was slack water caused by the meeting of two currents from different directions; that the dock was growing shallower and required constant attention and frequent dredging to enable steamers to reach the wharf; that the measure was not recommended by persons of great experience and was at best but a mere experiment; that as the work would occupy several months, there would be danger of flooding the cellars and valuable business interests would be interrupted; and having shown other and more feasible plans, they protested against the measure as a rash and expensive experiment to the city and calculated to inflict on the corporation a great and irreparable injury.

The report was recommitted.

The hearing on the proposed construction of a sewer in Avon place was taken up, when a remonstrance was presented from Charlotte Morgan against an assessment for such sewer, on the ground that she was well accommodated by a sewer in Bedford street. Recommitted.

The hearings on the proposed sewers in Bowker street and in Albany street, were taken up. No person appearing in either case, the reports were severally recommitted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That the Superintendent of Streets be authorized to substitute stone steps for the wooden ones on the passage-ways laid out by the city leading from Brookline, Pembroke, Newton and Dartmouth streets, in the rear of Tremont street, at an estimated cost of $800.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Winthrop street, between Warren and Grenville streets, and report a schedule of the expense to the Board.

Ordered, That the Superintendent of Streets be authorized to repave Faneuil Hall square and a portion of North Market street with small granite blocks and flagging crossings, at an estimated cost of $4000.

Ordered, That the bills contracted for fencing the parade ground, Boston Common, and for repairs on the greenhouse, seats, &c., Public Garden, amounting to $1700, be allowed and paid, said amount to be charged to the appropriation for Common, &c.

Ordered, That in addition to the amount heretofore allowed for trees, plants, bulbs, &c., on the Common, Public Garden, &c., a further sum of $500 be appropriated for that purpose, said amount to be charged to the appropriation for Common, &c.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses of sundry persons as victuallers, pawnbrokers, hack licenses, intelligence offices, an auctioneer, and two boys, a shoe black and a dealer in elastics. Severally accepted.

Alderman White, from the Committee on Health, reported in favor of the petition of Samuel A. Way, for leave to erect a stable on Hudson street, near Curve street, for more than four horses. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Pratt, from the Committee on Lamps, reported leave to withdraw on the petition of Joseph Leonard and others, for a gas lamp to be placed and lighted on Lambert avenue, between Cedar and Dorr streets. Accepted.

Alderman Bradlee, from the Committee on Overseers of the Poor, to whom was recommitted May 24, 1869, with instructions to ascertain and report whether accommodations for an Armory for the National Lancers can be furnished in connection with the proposed boiler house and coal shed

without interfering with the institut ons under the charge of the Overseers of the Poor, made a report that they have given the subject careful attention, and in their judgment it is inexpedient to erect an Armory in connection with the proposed boiler house, &c.

The Committee have conferred with the Overseers of the Poor, and submit the following vote as expressing the views of the Board:

At a meeting of the Board of Overseers of the Poor, held June 14, 1869, it was

Voted, That in the opinion of this Board it was desirable that the land adjoining the Charity Building and Temporary Home shall be reserved for the purposes of those institutions, and that the alterations heretofore proposed, specified in the communication of the Board of Aldermen, dated May 13, 1869, should be made as promptly as possible, and that a committee of three, with the Chairman of this Board as Chairman of such committee, be instructed respectfully to communicate to this committee on the Overseers of the Poor, with such considerations in support of the action as shall be deemed expedient.

The committee believe that the opinion expressed in the above vote is the calm and decided judgment of those who from their position are best able to know the institutions under their charge, and as such should commend itself to the City Government as worthy their approval and confirmation. The committee reaffirm the statements made in their report of May 24, which is again presented for your consideration, and urge the passage of the order submitted therewith.

Alderman Baldwin gave notice of an order which he should propose as a substitute for the order recommended, and on his motion the report was laid on the table.

Alderman Hawes, from the joint standing Committee on Water, to whom was referred the petition of S. C. Thwing and others for an alteration in the location of the stand pipe at Boston Highlands, and for the widening and grading of Fort avenue, having carefully considered the subject, submitted the following report:

The change in the location of the stand pipe is asked for on the ground that its erection on the spot proposed would involve the destruction of the fortifications constructed during the Revolutionary War, and known as Old Fort. If these works were at the present time in anything like their original state, it would be desirable to preserve them as an interesting memorial of such an important event; but time and the action of individuals have made such inroads upon them that their value as a memorial is lost, and the location appears to be necessary for the purposes of the Water Board, in supplying the occupants of the high territory in that section of the city.

It appears that the water-pipes which the Board are now laying in Fort avenue are at the proper depth for the street as now graded, and if it should be deemed expedient hereafter to widen the street or change the grade, the alteration in the location of the water pipes would not be attended with any considerable expense. The propriety of changing the width or grade of the avenue is a subject for the consideration primarily of the Committee on Streets of the Board of Aldermen, and we would recommend that so much of the petition as relates to that matter be referred to said committee.

Read and accepted.

ORDERS OF NOTICE.

Alderman Talbot, from the Committee on Streets, reported an order of notice for a hearing July 26 on the petition of owners of property on Tremont street and vicinity for the extension of Mason street to Boylston street. The order proposes the extension and widening of Mason street.

Alderman Talbot stated that the petitioners for the widening of the street are all, with perhaps one exception, the parties to be affected by the measure, yet this order of notice is to all parties relative to the widening and betterment. The petitioners have been given to understand that the whole expense of the widening is to be borne by the property benefited by it. In no other way would it be done, unless they assumed the expense for the full widening. This statement was made by him so that all the parties and the public may understand the matter clearly. The order was passed.

Alderman Talbot also reported an order of notice for a hearing July 26, on the petition for the extension of Lovering place. On this, he said, the same remarks would equally apply as to the widening of Mason street.

On the proposed laying out of Kendall street as a public street. Hearing, July 26, 4 P. M.

ORDERS PASSED.

A schedule of assessments for construction of sidewalks, on persons in Blossom, Brimmer, Mount Vernon and Pinckney streets, submitted from the Superintendent of Streets, was passed.

On motion of Alderman James,

Ordered, That notice be and hereby is given to the Metropolitan Railroad Company to pave on Tremont street, between Lagrange and Eliot streets, the space between their rails and three feet outside thereof with wooden pavement.

Ordered, That the Superintendent of Streets be, and he is hereby authorized in paving Tremont street, between Lagrange and Eliot streets, to pave said street with wooden pavement.

Ordered, That the Chief of Police be directed to notify the owners and abutters on D street, between First street and the Old Colony & Newport Railway, to furnish edgestones to support the sidewalk, and to lay their sidewalks with brick.

Ordered, That the Chief of Police, under the direction of His Honor the Mayor, be directed to exclude carriages and vehicles from such of the public streets in the vicinity of the Grammar Schoolhouses, during the hours of the annual exhibitions, as may be deemed necessary.

On motion of Alderman White,

Ordered, That hack licenses numbered from 1 to 480 inclusive, be issued for the year 1869–70, as reported in record of licenses kept by the Superintendent of Hacks.

Ordered, That wagon licenses numbered from 1 to 2573 inclusive, as registered in record of licenses kept by the Superintendent of Wagons, be issued for the year 1869–70.

On motion of Alderman Baldwin,

Ordered, That the Armory of Company K, first regiment of infantry, M. V. M., at 143 Broadway, South Boston, be and the same is hereby approved as a suitable place for the deposit of arms.

EAST BOSTON FERRY.

On motion of Alderman Seaver, the report of the Committee on the Purchase of the East Boston Ferry, was taken from the table, when the following resolve and order were read the second time and passed:

*Resolved*, That in the opinion of the City Council, it would be expedient for the city to purchase, upon a fair valuation, the franchise and property of the East Boston Ferry Company, and maintain the ferry lines at present established, upon such rates of ferriage as the Board of Aldermen shall adjudge necessary to pay the current expenses of maintaining said ferry lines, and also five per cent. per annum upon the loan for the purchase of said franchise and property.

Ordered, That the Joint Special Committee on the subject of the purchase of the East Boston Ferry be authorized to have an appraisal made of the value of the franchise and property of the Ferry Corporation, at an expense not exceeding two thousand five hundred dollars—to be charged to the appropriation for incidentals.

WIDENING OF HANOVER STREET.

On motion of Alderman Pratt, the following order was taken from the table and passed:

Ordered, That the Committee on Laying Out and Widening Streets be directed to report to the Board an order of notice of intention to complete the widening of Hanover street, to about sixty feet in width, from Blackstone to Commercial street, according to the plan of the same in the office of the City Surveyor.

SPECIAL ASSIGNMENT.

The ordinance for the care and management of the Boston Water Works, was taken up.

On motion of Alderman Bradlee it was assigned for consideration on Monday next.

Adjourned to Tuesday evening, 8 o'clock.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## JULY 15, 1869.

The regular weekly meeting of the Common Council was held this evening at 8 o'clock, William G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Quarterly reports from several departments of the government were read and ordered to be placed on file.

The Auditor's Monthly Exhibit was also read and ordered to be placed on file.

The report on the petition of S. C. Thwing and others, that the location of the stand-pipe at Boston Highlands is necessary, and recommending that so much of said petition as relates to the widening and grading of Fort avenue be referred to the Committee on Streets of the Board of Aldermen, was accepted in concurrence.

The report, resolve and order that it is expedient for the city to purchase, at a fair valuation, the franchise and property of the East Boston Ferry Company, and maintain the established Ferry lines; and that the committee on the subject be authorized to have an appraisal made of the franchise and property, at an expense not exceeding $2500 (City Doc. 64) were considered.

Mr. Keith of Ward Fifteen said he had looked over the report with care, to ascertain what information the committee had to give as to the value of the franchise and property of the East Boston Ferry Company. The subject was referred to them some months ago, and instead of giving facts and figures, a great part of their report is made up of the number of petitioners in favor of the purchase of the property by the city. They do not state the terms on which the company will sell their property, nor give their own judgment as to the value of it, but ask to have an appraisal made of the fair valuation of the property. What the fair valuation may be, or what may be the reasonable terms, the Council cannot judge—whether it be a half million of dollars or a quarter of a million of dollars. The purpose and object in the appointment of the committee, the obtaining of information, the Council does not realize. The committee was constituted with special reference to getting information, the chairmen of the committees on the part of each branch being gentlemen from East Boston familiar with the subject, or ought to be, one of them having been the Superintendent of the Ferry Company for a year and a half. Why they made just such a report, he could not imagine, nor why the subject should be referred to other parties who were not better able to ascertain its value, and to pay them $2500 for their services.

There is no difficulty in ascertaining the value of estates of deceased persons, and he believed this Committee could ascertain in a very short time the value of this property. If they could not, he could not see where else they were to look for information. He had as much confidence in that Committee as he could have in any other appointed for the purpose, and was ready to vote any reasonable sum which they may report to be necessary. His general impressions were in favor of the purchase of the ferries by the city, but he would not vote for this order, which had not given the information sought. The reasons of the Committee would have an influence, whether it was just or wise, and these reasons might be given in a week's time as well as to pay a committee $2500 to make an estimate. For these reasons he would move to recommit with instructions to the Committee to report their estimates, in lieu of the order under consideration

Mr. Hall of Ward One said the committee had a statement of the value of the property, but before taking measures for its purchase they wished to know its value beyond a reasonable doubt. The committee desired a fair and open statement of the real value of the property. Their rights and privileges were believed to be of considerable value by some persons, and by others they are not. Under these conflicting views, the committee ask the City Council to have an appraisement made by disinterested parties. Nothing could be more just or fairer. He might say that $175,000 was a fair valuation, while others might fix the valuation at $400,000. With reference to the payment of $2500 for an appraisal, it may be necessary to call some one from New York to give information relative to the valuation of such kind of property. Reference had been made to the terms of the resolution that it asked for the action of the Council, while it did not give any opinion. The Committee believe it is expedient to purchase.

Mr. Hall here read many of the names of the petitioners, of which he had obtained information at the Assessor's office that they were taxed in the aggregate for $12,063,500. These, he said, he had not picked out, but took them as representing a class of citizens who were in favor of the purchase of the ferry property and were large tax payers.

Mr. Snow of Ward Eleven said he had read the report carefully, but he did not find anywhere in it a recommendation for the purchase of the property.

Mr. Hall replied that the Committee were in favor of the purchase, and it might so be inferred from the resolve.

Mr. Snow reiterated that the Committee had nowhere in the report recommended the purchase of this property. They report a resolution committing the city to the purchase of this property. They should have given the information which they were expected to do under the order referring the subject to them. This was that the Committee be requested to ascertain and report the terms upon which the East Boston Ferry Co. will dispose of their franchise and property to the city of Boston. He could not see where the expense of $2500 could come in, when the Committee were to ascertain what the company would sell their property for.

Mr. Jenks of Ward Three said if it would be in order he would move to strike out of the resolve in the report the words "Board of Aldermen," and insert "City Council."

The Chair stated that it would not be in order.

Mr. Keith said he wished to make a few remarks upon what had been said. He would first inquire of the gentleman from Ward One whether he considered himself an impartial man, capable of giving a dispassionate estimate of the value of the ferry property?

Mr. Hall replied that he did so consider himself.

Mr. Keith said that he was then satisfied that he was just the man to give his judgment in the case. As a superintendent of the ferry company, he ought to be better able than any one else to give this information, and he did not care whether his judgment in the matter suited the company or not. The City Council intrusted the subject to the committee to obtain information, and there should be no sensitiveness in giving such information as they possessed; the gentleman was in duty bound to give his best information on the subject. The committee should do as other committees do, who are appointed to exercise their own judgment and obtain the best information they can.

At the last meeting a report was made appropriating $1,200,000 for cutting down Fort Hill. One of the leading men on the Committee, who is Chairman of the Committee on Streets, could nerve himself to report in favor of that large sum for the removal of Fort Hill, $400,000 for the widening of Federal street, $500,000 for widening Hanover street, and $500,000 for widening Devonshire street, and why could he not furnish an estimate on this subject.

The gentleman had read a list of great names in favor of the proposed purchase of the ferry property. If it was ten times as much, in the value of the property for which they were taxed, it would not affect him. He could not thus be induced to vote for a measure which did not commend itself to his judgment. If the report should be recommitted the committee could report at the next meeting; then the Council would be prepared to act.

In regard to the names read by the gentleman from Ward One, Mr. Keith said that the greater comprehended the less, and that in the report the number of petitioners for the purchase was placed at 2600, and the value of their taxable property at $40,000,000, whereas in the paper just read the taxable property of the petitioners cited was only $12,000,000.

Mr. Wadsworth of Ward Four agreed with the gentlemen from Wards Fifteen and Eleven; the Committee had approached the subject at the wrong end. They were required to ascertain upon what terms the ferry company were willing to sell, and this should be ascertained before the Council voted to give authority to purchase the ferries. He hoped the motion of the gentleman from Ward Fifteen would be adopted, and that the Committee would first give their judgment as to the value of the property and franchise.

Mr. Osborn of Ward Six said he wished to give some reasons why he should vote for recommitment. First, he was asked to vote that it is expedient to do what he knew nothing about. There was a general feeling that the purchase of the ferries shall be made by the city, and that before a great while it must be done. He was accordingly glad that so able a committee was appointed on the subject. It was a wise custom to appoint committees, that information might be obtained through them, as they were the eyes and ears of the body. The committee in this case do not even recommend the purchase of the ferries, although the resolution purports to do so. They recommend the passage of the order, but do not recommend the passage of the resolution, although he had no doubt this was merely a verbal omission, and that the Committee really intended to advise the purchase. The committee were fully competent to report upon the expediency of the measure, and he hoped they would report the facts and figures, with what they want the Council to do.

Mr. Hall said he supposed there was not a child in Boston who was not familiar with the ferry question. Documents had been printed and bound up, and were to be had in every form, relating to the ferry, and he did not see the necessity of giving any more information on the subject.

Mr. Wadsworth said he supposed the gentleman must consider them as up to child's play in directing the committee to furnish the Council the facts on this subject.

The motion of Mr. Keith was put in writing, and was passed, as follows: That the report be recommitted with instructions to the Committee to report the terms upon which the East Boston Ferry Company will dispose of their franchise and property, the estimate of the Committee as to the true valuation of such franchise and property, and whether it is expedient to purchase the same.

The order that the petition of William Schouler, that a free concert for the families of soldiers and sailors be given in the Musical Festival Building, be referred to a Joint Special Committee, with directions for said Committee to inquire as to the expediency of the city's obtaining possession of said building for public purposes, was passed in concurrence, and Messrs. Nelson of Ward Nine, Daniels of Ward Four and Rich of Ward Fourteen were joined to the Committee.

UNFINISHED BUSINESS.

The orders and resolution of thanks to those citizens who presented to the city the admirable equestrian statue of Washington, recently erected on the Public Garden were read a second time and passed.

The ordinances to amend ordinances in relation to public buildings and in relation to sewers, were each laid on the table on motion of Mr. Keith.

COMMUNICATIONS FROM THE SCHOOL COMMITTEE.

The requests of the School Committee for the erection of a primary schoolhouse in Yeoman street, and for the purchase of a lot for a primary schoolhouse in South Boston, were each referred to the Committee on Public Instruction.

A request for providing fire extinguishers for schoolhouses was referred to the Committee on Public Buildings.

REPORTS OF COMMITTEES.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, who were requested to obtain plans and estimates for a primary school building to contain 10 rooms and a hall, to be located on the lot of land set apart for that purpose on Berlin street, respectfully reported that they had caused plans to be made, which have been approved by the Committee on Public Instruction, and have received estimates, from which they find that it will cost $58,000 to erect the proposed building. They therefore recommend the passage of the following orders.

Ordered, That the Committee on Public Buildings be authorized to erect a Primary Schoolhouse upon the lot of land set apart for that purpose on Berlin street, according to plans approved by the Committee on Public Instruction, at a cost of $58,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $58,000, to be appropriated for the erection of a Primary Schoolhouse on Berlin street.

The orders were read once.

Mr. Keith also offered the following orders:

Ordered, That the Superintendent of Public Buildings be authorized to cause the necessary cleaning and repairs to be made to the several schoolhouses during the coming vacation, the expense thereof to be charged to the appropriations for grammar and primary schools, Public Buildings.

Ordered, That the Committee on Public Buildings be authorized to fence, grade and pave the yard of the Comins Schoolhouse, and to furnish the house with single desks and chairs for the pupils, the expense thereof to be charged to the appropriation for grammar schools, Public Buildings.

Severally read once.

The following order was read twice and passed:

Ordered, That the Committee on Public Buildings be requested to consider and report what disposition should be made of the buildings on land owned by the city on Fort Hill.

Mr. Richards, from the Committee on Streets of the Common Council, on the resolve and order for the widening of High street at the corner of Summer street, by taking land of Stephen Dow, at a cost of $1575, reported that the resolve and order ought to pass.

The same were read a second time and passed.

Mr. Richards, from the same committee, on the resolve and order for the widening of Summer street at the corner of High street, by taking land of E. B. Phillips and Isaac Rich, at a cost of $12,006, reported that the same ought to pass.

The same were read a second time and passed.

A report was made by Mr. Richards, from the same Committee, in regard to the widening of East Castle street.

The report was accepted, and the resolve and orders were laid on the table on motion of Mr. Gray of Ward Twelve, by a vote of 15 to 14, after a debate in which Messrs. Richards, Keith, Wadsworth, Wells and Gray participated.

FORT HILL IMPROVEMENTS.

Mr. Richards, from the Committee on Streets of the Common Council, to whom were referred the resolves and orders for the laying out, widening and grading of streets on Fort Hill, having considered the same, submitted the following report:

In order to prevent any misunderstanding upon this subject, it should be stated in the outset that the improvements proposed under the resolves and orders now before the Council for concurrent action are entirely distinct from the improvements heretofore authorized in the widening and grading of Oliver street, Washington square and Belmont street.

By an act of the Legislature, passed April 27, 1865, (Chapter 149,) the Mayor and Aldermen were authorized "to widen and lay out as a street the line of street extending from Milk street to Broad street, nearly parallel with Pearl street, and to take sufficient land for the purpose of making the street fifty feet wide; and grade said street so that the rise or fall should in no place exceed two feet and a half in one hundred feet of length." The act further provided that the whole expense of said widening, including the damages to property abutting on the street, and the net expense of grading, should be assessed upon the estates abutting upon the widened street, and constitute a lien thereon, and if not paid within three months after a written demand, the estates may be sold in the same manner as for non-payment of taxes.

The work was not begun until near the close of 1866, when the Supreme Court having affirmed the constitutionality of the act, a temporary loan of $100,000 was granted by the City Council. In August, 1867, an additional loan of $150,000 was granted "for the settlement of unadjusted claims and for completing the excavations." In February of the present year, an additional loan of $72,000 was granted, mainly for the purpose of paving

and building sewers and sidewalks; making the total amount of the loans for "Oliver street improvement," so called, $322,000. The receipts from the sales of earth and buildings have amounted to $40,046 88 — which, added to loans, makes the amount to be expended in paying for estates surrendered, damages for land and buildings taken, grading, paving, &c., &c., $362,046. The actual expenditures to this time amount to $304,922. The estimated value of remaining portions of estates surrendered to the city amounts to $53,724—which should be deducted from the expenditures above named. The works authorized under the act of 1865 will soon be completed, and assessments will be levied on the abutting estates to cover all the expenses except those for building a common sewer and for paving and sidewalks.

The widening and grading of Hamilton street was authorized by an order of the City Council, passed January 5, 1867, but the only expenditures on that account up to the present time, amount to $11,963 70, which sum was paid for the two estates surrendered to the city. The estimated value of the remaining portions of these estates after the widening and grading amounts to $14,455.

We have thus stated briefly the action of the city up to the present time, in the improvement of Fort Hill. By the laying out and grading of Oliver street, the city were committed to the grading, sooner or later, of the entire area (about fifteen acres) bounded by the warehouses on Pearl, Broad, Batterymarch and Milk streets. The work would have been entered upon before this time if an available place had been found for the deposit of earth. At the close of last year the building of Atlantic avenue was authorized, and an opportunity was offered for the utilization of the earth from Fort Hill. Surveys and estimates for laying out, widening and grading certain streets on the hill were obtained, and the necessary resolves and orders having passed the Board of Aldermen, are now presented to the Council for concurrent action.

So far as the Committee can judge from the facts presented to them, the estimates of damages to different estates on the lines of the new streets are substantially correct. Some of the owners have already signified that they were acceptable.

The appropriation for building Atlantic avenue is, of course, chargeable for the expense of conveying earth from Fort Hill to the extent that it would cost for conveying it from some other place. Undoubtedly Fort Hill is the most available place for procuring earth, and as the avenue and the docks inclosed thereby will require all the earth which is to be removed in the grading of the hill, there is every reason to believe that the estimate of $100,000 will be more than sufficient to cover the cost of grading. The other items in the estimates, namely, for paving, sewers, cesspools, gas lights, water pipes, &c., are made up by the several departments of the city government having charge of those matters. To all these estimates it will be observed that ten per cent. is added for contingencies, making the total estimated expense for the work $1,229,004 72.

It is impossible at this time to make an accurate estimate of the value of the property after the improvements have been made. The land subject to assessments, outside of the estates abutting on Oliver street, amounts to 300,000 square feet. Previous to 1866, the land on the hill was valued for the assessment of taxes, from $1 25 to $3 00 per foot. Land on Broad, Pearl and Milk streets was valued at from $10 to $15 per foot. There is no reason why the land on Fort Hill, when reduced to a uniform grade, will not be equally valuable for business purposes. With the construction of Atlantic avenue and the occupation of the South Boston flats for railroad purposes, the demand for land in this vicinity must be greatly increased. It is safe to presume that three or four dollars per foot can be assessed as betterment upon most of the estates abutting upon the streets, and such an assessment will reduce the net cost to the city of the improvement, to less than half a million dollars.

By an act of the last Legislature the Board of Aldermen were authorized to take and remove any buildings on the territory, whether abutting on the streets or not, in order to reduce the grade of estates requiring excavation. In their report (City Doc. 54) the Committee on Streets of the Board of Aldermen state that the number of buildings to be taken under this act is small, and the necessity and utility of taking them at all has not been fully considered.

After carefully considering the subject, it appeared to your Committee expedient to take all the buildings so as to prevent any interruption to the work of levelling the hill, and at their suggestion the Committee of the Aldermen have agreed to report orders of notice for the taking immediately. The estimated value of the buildings to be taken amounts to $50,000; and the increased value of the land after grading will undoubtedly pay for all damages caused by the demolition of the buildings.

In concluding their report, the Committee would state that they have not felt called upon to consider whether it was expedient for the city to begin this work. They have endeavored to show what has been already accomplished, and what is required to be done.

It is clear to everybody that the hill must be removed, and new streets laid out. Believing that the plan proposed by the Board of Aldermen is a proper one, the committee would respectfully recommend the passage of the resolves and orders for carrying it into execution.

The report was laid on the table and ordered to be printed.

At this point Mr. Osborn of Ward Six was called to the chair by the President.

Mr. Flynn of Ward Seven offered an order that the City Messenger be directed to furnish each member of the Common Council with a copy of the Boston Directory for 1869, the expense to be charged to miscellaneous claims and incidental expenses.

Mr. Wadsworth of Ward Four said he had purchased a copy of the Directory for 1869 for his own use, and did not believe that the city should provide Directories for business men to use in their own business. He would suggest that a subscription be raised for such as were unable to purchase Directories.

Mr. Flynn did not see why each member of the Common Council should not have a copy of the Directory as well as every head of a department in the City Hall, and the members of the Board of Aldermen.

Mr. Gray of Ward Twelve, moved a reference of the order to the Committee on Printing.

Mr. Flynn hoped members would not dodge in that way, but vote squarely on the question and moved the yeas and nays, which was carried.

The motion was lost, 6 to 33.

Mr. Jenks of Ward Three moved as an amendment that the books be retained on the desks of the members in the Council Chamber. The amendment was adopted.

Mr. Rich of Ward Fourteen said if there was to be no debate, he would move to lay the order on the table.

Mr. Wadsworth suggested that an indefinite postponement would be better, and made such a motion. Lost—17 to 19.

Mr. Rich moved to add that a copy of Worcester's and Webster's dictionaries be also furnished. Lost.

Mr. Jenks moved that the directories be stamped as the "property of the city of Boston." Lost.

Mr. Pickering of Ward Fourteen moved to amend by providing that one copy be furnished to be kept on the Clerk's desk for the use of the members.

Mr. Jenks raised a question of order, that the largest number shall take precedence.

A motion to adjourn was lost.

The motion of Mr. Pickering was lost, by a vote of 13 to 22.

Mr. Flynn moved the previous question; which was ordered.

Mr. Wadsworth moved an adjournment. Lost.

The order was rejected, by a vote of 7 yeas to 26 nays as declared, but subsequently corrected to 32 nays.

Mr. Ryan of Ward Thirteen offered an ordinance in addition to an ordinance in relation to the Fire Department.

The ordinance was referred to the Committee on Ordinances.

Mr. Osborn gave notice that he should move at the next meeting for the Council to adjourn for the summer vacation.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, JULY 19, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at 4 o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officer (without pay)—Henry Robinson, for duty at the Boston & Albany Railroad wharves, east of Lehigh street.

Hay-weigher, East Boston Scales—John A. Brown, in place of John W. Kimball, resigned.

Liquor-Agent—Thomas Hollis, in place of Samuel M. Colcord, declined.

PETITIONS PRESENTED AND REFERRED.

Geo. B. Starkweather and others, that a public square be opened at Guild row, and that Shawmut avenue be straightened near that locality.

Wm. F. Jackson and others, in favor of the same measure.

Wm. Doran, surrendering his estate, No. 22 Hamilton street, to the city.

Severally referred to the Committee on Streets.

H. T. Litchfield, for leave to run two omnibuses from Scollay's Building through Court, State, Broad, Summer, Winter and Tremont Streets to point of departure. Referred to the Committee on Licenses.

M J. Flatley and others, that North street, from Merchant's row to Dock square be repaved.

C. D. McIntyre, against assessment for sidewalks on Brooks and Saratoga streets.

George W. Wheelwright, for damages for change of grade on Water street.

John F. Jarvis and others, that Leverett street be repaved from Green street to Causeway street.

Edward H. Maxwell, that the street between East Chester avenue and Northampton street be called Division street.

James Cheever and others, that the inclosed area in Haymarket square be reduced.

Brooks & Ball and others, that Exchange street be paved with wood.

Severally referred to the Committee on Paving.

Alexander Blaikie, for a sewer in Chandler street, near Berkeley street.

Sarah Scott, for abatement of sewer assessment on estate No. 1902 Washington street.

Severally referred to the Committee on Sewers.

Edward H. Maxwell, that new trees be planted on Washington street to replace those removed near Worcester street.

Winslow B. Lucas and others, that velocipede riders may use the mails of the Common before 7 A. M., each day.

Elijah C. Drew, for leave to cut down the row of trees in front of his building on Washington street.

George C. Richardson, Jr., and others, that the city would aid them in fencing and grading their ball grounds.

Referred to Committee on Common and Malls.

Thomas Crosby, administrator, for abatement of tax on estate of James Crosby. Referred to Joint Committees on Assessors' Department.

Felton & Stone for license to manufacture liquors at the corner of C and Fifth streets. Referred to Committee on Licenses.

Charles G. Brewster, for a modification of restrictions on estate No. 636 Tremont street. Referred to Joint Committee on Public Lands.

Charles V. Caples, to be compensated for personal injuries sustained from an alleged defect in Canal street. Referred to Joint Committee on Claims.

James F. Laughlin and others, that the city would place a bell on the church corner of London and Meridian streets. Referred to Committee on Bells and Clocks.

NOTICES OF INTENTIONS TO BUILD.

Alden Frink, 9 Hawthorn street; W. L. Lucas, Federal street, near Preble street; W. A Kendrick, Condor street, between Meridian and Brooks streets; C. H. Taggard, Condor street, between Brooks and Putnam streets; J. F. & D. J. Haines & Co., Eutaw street; Geo. E. Shackley, 219 Sixth street; John Donovan, Fifth street, between D and E streets; M. M. Bixby & Co., Fourth street, between Foundry and Bridge streets; Joseph Bassett, Old Harbor street, between Telegraph and Eighth streets; S. J. & G. Tuttle, Schoolhouse on Appleton street; Richardson & Young, 163 Endicott street and 86 North Margin street; also at 139 Court street; Stevens & Pratt, Newbury street, between Arlington and Berkeley streets; J. C. Cooper, corner of Albany and Canton streets; Alonzo Dexter, Second and Third streets, between I and K streets; C. K. Kirby, corner of Union and Hanover streets; J. F. & D. J. Haines & Co., Border street, near Maverick street; Theodore F. Rollins, Lexington street, between Meridian and Marion streets; A. & J. McLaren, 128 and 130 Princeton street; John Smith, Fifth, between A and B streets. Severally referred to the Committee on Streets.

DECLINATION AS CITY LIQUOR AGENT.

The following communication was presented:

BOSTON, July 19, 1869.

To S. F. McCleary, Esq., City Clerk.

*Sir:* I have received from your office the notice that I was appointed and confirmed by the Mayor and Aldermen of the City of Boston, as a liquor agent of the city, and I take this means to express my obligation to the Mayor and Aldermen of Boston for the honor, or intended honor, conferred by the appointment.

I hold it a duty I owe both to the State and the city, to shrink from no public duties that I ought to perform, and esteem it a privilege to do what I can for the best interests of the city, as well as for the temperance cause. I have carefully considered the appointment, and the law under which the agent is obliged to buy and sell. I find the agent is obliged to purchase all his stock of a person who is supposed to know little or nothing of the quality of the goods in which he deals. Although this relieves the city agency of all responsibility as to quality, yet as I have been educated and practice in my profession, it is contrary to pharmaceutical ethics, and is my first objection to accepting the appointment. But if this objection is not sufficient, I find that although the agent is obliged to buy all the liquors he sells of the Commissioner, yet the court is authorized to turn any confiscated liquors over to any agent to be sold by him for and on account of the State. It is true, the State provides for an analysis of the liquors, but as the chemist's certificate is given only for pure liquors, and applies equally to many qualities, I can see in his certificate no guarantee of quality to the city agent.

Another objection to accepting the appointment is, that on the expiration of the agent's term of office there is no provision made to return the liquors unsold to the State or its Commissioner or agents, and I presume neither the City of Boston nor its agents would be willing to continue the liquor business on their own account, with such a stock in trade and at prices such as they would be likely to receive from the Courts and Commissioners, or that the city of Boston would be willing to license the sale of such a stock next year.

I consider the sale of liquors by apothecaries other than the legitimate demands upon them as apothecaries, as demoralizing to a well-ordered pharmacy business, and therefore cannot conscientiously connect the agency with my present occupation, and do not feel it my duty to relinquish my present business to accept the agency for one year, especially as from present appearances it may only be adding another nuisance to the numerous ones already existing.

I beg to assure the Mayor and Aldermen that I have all confidence so far as they are concerned that all the rules and regulations they may adopt for the government of the agent as well as his salary will be liberal, but feel that I can perform a greater use to the community by conscientiously performing the duties of my present position than I can in accepting the appointment, and would therefore most respectfully decline the office of Liquor Agent of the city of Boston.

SAMUEL M. COLCORD.

The communication was read and ordered to be placed on file.

REPORT OF HAY-WEIGHER, EAST BOSTON SCALES.

The report of the Hay-weigher, East Boston scales, showed his gross receipts for the quarter to be $70 87; paid for sealing, $3 30; two-thirds of

the amount of receipts, less expenses, $25 04, has been paid into the city treasury.

Read and ordered to be sent down.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice relative to the laying out and acceptance of certain streets, were taken up, as follows:

On the proposed laying out of Worcester street, from Water Power Company's old line to Columbus avenue; Lawrence street, between Berkeley and Dartmouth streets; West Chester avenue, between old line of Water Power Company and Columbus avenue; Newbury street, between Berkeley and Clarendon streets; West Springfield street, from Water Power Company's old line to Columbus avenue; Chandler street, from Berkeley street to Columbus avenue; Columbus avenue, from Northampton to Ferdinand streets.

Alderman Talbot stated in relation to all of these streets on the land of the Water Power Company, that the Committee on Streets had been trying for a long time to get deeds of these streets from the Water Power Company, and were ready to report in favor of their laying out and acceptance as soon as the deeds can be obtained. This much they had to say in explanation of the matter, that the parties in interest may use their efforts for that purpose.

The several orders were recommitted.

UNFINISHED BUSINESS.

The following orders were each read a second time and passed:

Ordered, That there be paid to Laban S. Beecher $1201 20, for land taken and damages occasioned, including grade damages by the extension of Vernon street, by a resolve of May 7, 1869.

Ordered, That there be paid to Charles E. Wiggin $35,000, for land taken and all damages of every nature, occasioned by the widening of Hanover street, by a resolve of December 31, 1868.

COMMON COUNCIL PAPERS.

The resolve to purchase East Boston Ferries, recommitted, with instructions to ascertain the terms upon which said company will sell their franchise, the estimate of the Committee, and whether it is expedient for the city to purchase the same, was taken up for consideration.

Alderman Talbot, as a member of the Committee on Ferries, said that the order to provide for an appraisement of the value of the ferry property to which so much objection was made in the other branch, was adopted in committee principally on his suggestion, he supposed. The suggestion was made because he did not feel competent to make an estimate of the value of the ferry property, and the Committee, with the exception of one member, were not competent to judge of the value of such property. The Committee received a proposition from the Company of the terms upon which they were willing to sell; yet they did not know how much the property was worth, and could not tell without obtaining the opinions and judgment of others. In the instructions to the Committee, the order comes back without the means to pay for such information, and he did not think it right to call upon those who were competent to give the information unless there were means provided to pay the parties.

Alderman Seaver said it was the opinion of some persons that the order of itself gives the Committee power to secure and get such opinions as they can as to the value of the property. If so, the city must pay for such information; and if that was the proper construction, he was willing to concur in the recommitment adopted in the other branch. He did not feel competent to make an estimate of the value of the property, and some means should be provided whereby the necessary information might be obtained.

At the request of Alderman Talbot, the order on recommitment was read.

Alderman Talbot did not so understand the terms of recommitment. The Council objected to the order because it gave authority to expend money in obtaining an estimate of the value of the property. They seemed to suppose the committee to be competent to make the estimates themselves, but the committee did not think so. If the chairman of the committee was willing to make the attempt, he would do all he could to help him.

Alderman Seaver said he was not willing to go blindfold in the matter; his information of the power of the committee in such a case was procured from a competent party, and it was his opinion that the necessary information could be obtained, and the expense charged to incidentals.

Alderman Pratt said he had no doubt the committee had ample power to employ any party they chose, to obtain the information necessary. The instructions to the committee are positive, and whatever bill might be incurred in making an estimate will be good against the city.

Alderman Talbot said if he understood the matter aright, the action of the Council was adverse to the expenditure of money by the committee for obtaining information. The committee had no right to stretch their authority if they could not get the requisite funds by direct means. To give that authority he moved to add to the instructions, "and that the expense thereof be charged to the appropriation for incidentals."

Alderman Pratt was opposed to the report going back again to the Council. That body objected to the order proposed by the Ferry Committee because it thought it unnecessary to expend $2500 to obtain the information wanted, but by leaving it to the discretion of the Committee, they would incur only the proper expenditure.

Alderman Richards said if the Committee had incurred the expense of making the estimates, there could have been no question relative to the payment of it. But in the present position of things the instructions should pass with the amendment.

Alderman Seaver said that as a member of the Committee, he did not feel competent to make the estimate required of them, and he would not recommend the purchase at any specified sum unless he was satisfied that the city would obtain the full value of the purchase. If a committee had instructions to do a certain thing, they had the power to expend money to a certain extent. He did not suppose it would cost $2500 to obtain a fair estimate.

The amendment of Alderman Talbot was adopted, when the order to recommit, as amended, was concurred in.

The following orders and requests were disposed of in concurrence:

An ordinance to permit a parade of the Fire Department on Sept. 17, annually. Referred to Committee on Ordinances.

Order for Committee on Public Buildings to report on disposition of public buildings on Fort Hill.

Request of School Committee for fire extinguishers in schoolhouses. Referred to Committee on Public Buildings.

Request of School Committee for purchase of land adjacent to Lewis Schoolhouse; also, of land near Sixth and K streets, for primary schoolhouse sites. Referred to Committee on Public Instruction.

Request of School Committee for a primary schoolhouse in Dearborn District. Referred to Committee on Public Instruction.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licensing seven newsboys, and revoking the license of Wm. Nolan, a newsboy, for cause. Severally accepted.

Alderman White also reported in favor of licenses to E. T. Carbonell to give musical entertainments, and of licenses to Chester H. Graves, Felton & Stone and Jonas H. French, to manufacture spirituous liquors. Accepted.

Also, the renewal of forty-seven licenses as pawnbrokers and one hundred and fifty-nine as dealers in second hand articles. Severally accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Baldwin, from the Committee on Armories, reported in favor of approval of armory of Co. K, First Regiment, at Waitt's Hall, South Boston. The order was read the first time.

Alderman Richards, from the Committee on Public Buildings, to whom was referred the order relative to the property of the License Commissioners, reported that the same ought to pass, which was accepted, and the order was passed, as follows:

Ordered, That the Superintendent of Public Buildings be directed to take possession, in behalf of the Board, of the lease, property and fixtures belonging to the County of Suffolk, and lately used by the License Commissioners of said county, and now located at 107 State street.

Alderman Talbot, from the Joint Standing Committee on Claims, to whom was referred the order to pay Charles R. Train for services before the Committee of the Legislature on the subject of the annexation of Dorchester, made a report, that, by an order passed March 19, 1869, the Mayor was requested to petition the Legislature for the passage of an act to unite the town of Dorchester to the city of Boston, and the special committee of the City Council on the subject were authorized to represent the city before the Committee of the Legislature, and take such action as they might deem expedient to secure the passage of an act of union.

Under the authority granted by this order, the Committee, at a meeting held on the 25th of March, voted that Hon. Charles R. Train be requested to appear before the Committee of the Legislature on Towns, and present such evidence as he might deem expedient in support of the petition from the city of Boston for an act to annex the town of Dorchester.

Mr. Train states that he gave about a month's time to the service of the city under the vote, and incurred some legitimate expenses in presenting evidence.

The bill rendered by him, amounting to $1000, has received the approval of the chairman of the Special Committee having charge of the matter; but as there was no appropriation designated in the order of the City Council, to which the expenses of the committee in securing the passage of the act could be charged, it is necessary to authorize an appropriation from the incidental fund for the purpose.

With this statement of facts, the committee respectfully report the order back to the City Council.

The report was read and accepted, and the order was again passed.

ORDERS OF NOTICE.

On petition of George B. Harrington, for leave to place a steam engine and boiler at the corner of Green and Pitts streets. Hearing Monday, August 2, 4 P. M.

On the proposed laying out of Newbury street, from Arlington to Berkeley street. Hearing Monday, Aug. 2, 4 P. M.

On the petition of Howard Snelling & Co., for leave to construct a stable for more than four horses at No. 521 Commercial street, and on the petition of H. W. Eames, for leave to construct a stable on Berkeley and Providence streets. Hearings Monday, July 26, 4 P. M.

On the proposed extension of the Friend street sewer, in Sudbury and Portland streets. Hearing Monday, July 26, 4 P. M.

On the proposed extension of the Grenville street sewer. Hearing Monday, July 26, 4 P. M.

ORDERS PASSED.

On motion of Alderman Fairbanks,

Ordered, That the Superintendant of Sewers be directed to construct a common sewer in Bowker street, and report a schedule of the expense to the Board, pursuant to law.

Ordered, That the Superintendant of Sewers be directed to construct a common sewer under the provisions of chapter 181 of the acts of 1869, in Commercial street, the street east of the Custom House, India street, and the street on the north side of Central Wharf, and report a schedule of the expense to this Board, pursuant to law.

Orders were passed for collection of sewer assessments as follows: Old Harbor and Eighth street, $1588 91; Monmouth street, $436 05; Blossom street, $1863 69; Mount Pleasant avenue and Forest street, $3469 13; F street, $734 97; High street, $837 03; Tremont street, $414 92; Gates street, $237 49; Ninth street, $366 04.

On motion of Alderman James,

Ordered, That in addition to the amount of $4000 heretofore appropriated for earth and loam for filling on Boston Common, between the Beacon street mall and the Frog Pond, a further sum of $282 be granted, said amount to be charged to the appropriation for Common, &c.

On motion of Alderman White, an order was passed for the abatement of nuisances in Harrison avenue, Adams street, near Eustis street, and in Eliot street.

On motion of Alderman Talbot,

Ordered, That there be paid to James W. Leatherbee $373 for land taken and damages occasioned by the widening of Federal street, by a resolve of June 6, 1868, being in addition to the amount, $12,627, paid to the said Leatherbee by an order to pay dated April 19, 1869, the same to be charged to the Federal street loan.

Orders were passed, of notice to quit to Otis Daniell, Nathaniel Walker and Moses P. Grant, trustees, to quit the premises taken from them for the widening of Cambridge street, before 1st September next; also to Elizabeth C. Ware, (Henry Lee, trustee) to quit the premises taken by the city to widen West street, on or before 1st September next.

SPECIAL ASSIGNMENT.

On motion of Alderman Bradlee, the ordinance for the care and management of the Boston Water Works, in amendment of the water ordinances, respecting the time of the election of members of the Board and the rates to be charged for water supplied to model houses, was taken up, read a second time and passed.

On motion of Alderman Baldwin, the report of Committee on Overseers of the Poor, that the order to obtain plans and estimates for the erection of a boiler-house and coal-shed on Bowker street, for Central Charity Bureau Building, ought to pass, was taken from the table for consideration.

Alderman Baldwin said he called up the subject in accordance with a promise, on giving notice of a proposed substitute. The question of furnishing an armory for the National Lancers had been long under consideration by the Committee on Armories, and should be settled as early as practicable. On consultation with the City Solicitor, in reference to using the lot of land adjoining the Charity Bureau for any other purpose than that connected with that charity, it was the Solicitor's opinion it could not without sacrificing the $17,000 in donations with which it was encumbered on the erection of that building, and which could be reclaimed by the donors if this land was used for any other purpose. It might be a a question whether it was an advantage for the city to hold property subject to such an incumbrance.

Alderman Bradlee did not think it necessary at this time to go into any extended remarks on this subject. He had desired this question to be settled on its own merits, without reference to legal obstacles, but he thought the restriction would prove not to be a disadvantage to the city, but of great benefit. After reading from the report of the Directors, particularly relating to the operations of the Temporary Home, he said it was evident this department was growing and extending, with the growth of the city, and will require additional accommodations. The persons provided with meals are not well provided for in the dining room, and will need more room; the boilers where they now are are an injury to the building, as is stated in the report of the committee, rendering that portion of the building untenantable, clothing and groceries are spoiled, and it is made uncomfortable for the inmates; the space for coal is not larger than that in most dwellings, preventing the laying in of any considerable stock, and whatever may become of the armory question, the boilers ought to come out and be located in a separate building. In providing for the wants of the poor, this is virtually a temporary almshouse, the only one we have except at Deer Island.

Alderman Talbot called attention to the fact, as connected with this question, that the Committee on Streets had a lot of land in this vicinity for which there had been many calls, and if it were not needed by the Committee on Public Buildings to carry out their instructions with regard to the Charity Bureau, it should be sold.

Alderman Bradlee said the Overseers of the Poor did not require for their uses any portion of the lot of the Committee on Streets, being satisfied that the occupation of the lot adjoining, as proposed, would answer all their purposes.

The order accompanying the report of the committee was passed, as follows:

Ordered, That the Committee on Public Buildings, in consultation with the Board of Overseers of the Poor, be requested to procure plans and estimates for a boiler house and coal shed, to be located on the lot of land adjoining the Central Charity Bureau and Temporary Home on Bowker street, and report the same to the City Council.

On motion of Alderman Talbot, it was voted, that when the Board adjourns on the 2d August, it be for two weeks, to August 16.

Adjourned to Monday next.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## JULY 22, 1869.

The regular weekly meeting of the Common Council was held this evening at 8 o'clock, the President, Mr. Wm. G. Harris, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The report of the Hay Weigher of the East Boston scales was ordered to be placed on file.

The petitions of C. G. Brewster and C. V. Caples were severally referred in concurrence.

The report of the Joint Standing Committee on Claims on the order relative to the pay of Charles R. Train for services before the Committee of the Legislature on the subject of the annexation of Dorchester, which was reported favorably upon by the Committee on Claims, was read.

Mr. Wells of Ward Three asked the Chairman of the Committee if two other gentlemen did not receive $500 each for their services?

Mr. Jacobs of Ward Five replied that $1500 were paid for duties entirely distinct from those for which Mr. Train claimed $1000. The claim of $1000 by Mr. Train was for services rendered exclusively by the latter.

Mr. Wells replied that if he did all the work, why not pay him the whole $2500. He moved to amend the order by striking out $1000 and inserting $250. He did not understand why so large a sum should be paid for such services.

Mr. Jacobs of Ward Five gave a brief statement of facts bearing upon the claim, showing Mr. Train's connection with the annexation of Dorchester from the beginning. He asserted that Mr. Train had paid out some $200 in obtaining evidence to lay before the Legislative Committee. Deducting this amount, his bill would be only $800 for his services, which Mr. Train stated before the Committee had occupied him a month. Considering the character of the interests he represented, and the success he achieved, he did not think the amount too much. The fee was not excessive when taken into account with lawyers' charges for the management of important cases. Their fees depended upon the value they set upon their own services. The order should pass without amendment.

Mr. Wells modified his amendment by substituting therefor the sum of $500, stating that he did not desire to treat the claim of Mr. Train unfairly, but wanted him to have a fair and full compensation for his services.

Mr. Wadsworth of Ward Four did not understand that the $200 was paid by Mr. Train to secure witnesses, but the object of the expenditure was not revealed by him to the Committee on Claims.

Mr. Denny of Ward Ten said that he thought the matter had been very clearly explained by Mr. Jacobs, and that in his opinion, the bill was an honest and just one; no one had condemned it as exorbitant, and it ought to be paid in full. He did not care to know about the details of expenses for procuring witness, &c.

Mr. Rich of Ward 14 claimed that the bill was exorbitant and unjust. Mr. Train had already been paid for investigating the subject. If any money had been improperly expended before the Legislature then Mr. Train must bear the loss. But in his opinion it could not have required much time or labor to procure testimony, and he thought $300 was ample to pay for conducting five hearings before the committee, and that $500 ought to be enough to satisfy any lawyer for such service. These services should have been performed by the City Solicitor.

Mr. Wadsworth of Ward Four desired to exonerate the City Solicitor in the matter, and stated that that officer was never consulted upon the subject, and that he did not know that counsel had been employed until he heard of this claim against the city.

Mr. Jenks of Ward Three asked the Chairman of the Committee if Mr. Train was not connected with the annexation of Dorchester from the beginning?

Mr. Jacobs of Ward Five replied that he was the pioneer in the scheme, but he did not see the pertinency of the question.

Mr. Jenks said that it was apparent Mr. Train had arranged for a job, had obtained it, and would get well paid for it.

Mr. Keith of Ward Fifteen, although at first somewhat adverse to the claim, thinking the service should have been performed by the City Solicitor, on further examination was satisfied that the Committee on the Annexation of Dorchester, under the order on that subject, had ample authority to employ Mr. Train. He was employed because he was known to be perfectly familiar with the case; and had likewise been an influential member of the Legislature of 1868. By his own statement he had taken a month's time in the case, and he had attended five hearings before the Committee. The labor of preparing a case was much more than that of presenting it when prepared, and the time required for this and conversations with members of the Legislature, requiring to be informed on the subject, might well be a month. Mr. Train would not probably accept the $500 as full satisfaction for his claim, and if the matter went to a jury, Sydney Bartlett, Judge Abbott and Judge Curtis might be summoned, and would probably testify that the fee was not excessive.

Mr. Rich of Ward Fourteen thought that any lawyer would say $500 was ample pay for the service rendered.

Mr. Nelson of Ward Nine moved the previous question, which was carried, when the amendment allowing Mr. Train $500 was adopted by a vote of 24 yeas to 17 nays. The order was then read a second time and passed.

THE EAST BOSTON FERRY FRANCHISE.

The report and order concerning the East Boston Ferry, which was recommitted last week with instructions to the committee to report the terms upon which the company will sell their franchise and property, the estimate of the committee as to the valuation of such property, and whether it is expedient to purchase the same, came back from the Board of Aldermen with an amendment providing "that the expense thereof be charged to incidentals."

The order and amendment gave rise to a protracted discussion. Mr. Snow of Ward Eleven alluded to the remarks of Alderman Talbot, as reported in the Transcript, in relation to receiving the proposition of sale from the company, and desired to know why the proposition was not reported by the committee to the Council.

Mr. Hall of Ward One thought there was nothing improper or unusual in the report. The Committee had received a proposition from the ferry company and were awaiting the opinion of competent judges to see whether the valuation was sufficiently reasonable to be reported to the City Council. They wanted the ultimatum of the Ferry Company. The Committee came before the City Government with "clean hands," asking for nothing that is not proper, and he hoped that the Council would recede from their previous action and concur with the Board of Aldermen. He desired to have a valuation of the property made, and this could be done only by experienced and impartial men.

Mr. Snow, in reply, said that there was no harm in asking the Company in so many words what they would sell for. He would not say anything to commit himself against the purchase; he wanted proper light upon the subject, but as things are now, he thought they had the cart before the horse.

Mr. Hall rejoined that the order was offered for a purpose. If there was not anything back of it, it was child's play. He asked that an appraisal be made, that the Council might have something substantial to work upon.

Mr. Osborn of Ward Six favored the amendment of the Board of Aldermen, as he desired that the evidence of experts be taken on the subject. He had entire confidence in the Ferry Committee, but the work could be done without in the least reflecting upon them. In the contention which had arisen in regard to the ferry matter, it might be necessary even to send to New York to obtain impartial parties competent to appraise these ferries.

Mr. Keith of Ward Fifteen said that the committee could easily have performed every duty devolving upon them in two weeks. Instead of making a report as to the worth of the ferry prop-

erty, as they were directed to do, they at first asked for an appropriation of $2500 for making a valuation of the property. He thought this might be done for $200, which they were authorized to expend without coming to the Council for authority. He, therefore, wanted the committee to discharge their duty fully, and then report. They had not reported what the property could be bought for. When they reported that it could be bought for a reasonable sum, he stood ready to vote for it, but he could not see the necessity for any such appropriation as that now asked. There was now one man on the committee who understands the whole matter thoroughly, and another disinterested man might be added, and thus the appraisal be obtained at a small expense. The amendment of the Board of Aldermen, for expending an unlimited amount of money at the discretion of the committee, made the matter stand worse than under the order permitting the expenditure of $2500.

Mr. Wells of Ward Three did not believe in taking men from Boston to appraise this property. He held that men should come from a distance to do it and that the Committee should have money enough to secure their services.

Mr. Osborn of Ward Six said, in reply to Mr. Keith, that the committee could not expend $200 without coming to the Council for authority so to do, and that as the matter now stood they were without any funds to meet the expense of an appraisal. What was needed was the service of experts, and to obtain them we should have to go to other cities for men who were not biased by the present discussion. It was too late to blame the committee for not reporting what is required.

Mr. Wadsworth of Ward Four could not see why so large an appropriation was wanted, unless they desired to send to New York for men to make the valuation, and he trusted that the Council would adhere to their action of last week. He agreed with the gentleman from Ward Fifteen that the amendment of the Board of Aldermen made the order more objectionable than in its original shape.

Mr. Ingalls of Ward Twelve said that if you cannot trust the committee to expend a proper amount of money to ascertain the value of the franchise, then they cannot be trusted to appraise property estimated to be worth $350,000. He wanted the judgment of three disinterested men before he voted to pay $350,000 for this property. The committee were bound to report whether the report was made or not, and also to report at what price the property could be bought. He thought that it could not be appraised in less than ten days. You must hire men that know all about the property before you can tell what the franchise is worth.

Mr. Pickering of Ward Fourteen desired "more light"—he wanted to know first of all what is asked for the property before he voted upon it. He thought the estimates of the pay of appraisers of the gentleman from Ward Twelve were too high.

Mr. Hall of Ward One thought it unfair to discuss the main question when the Committee simply asked for the means to enable them to get information for their report.

Mr. Denny of Ward Ten moved the previous question, which was carried, and the amendment of the Board of Aldermen was concurred in by a vote of 29 yeas to 10 nays, as follows:

Yeas—Messrs. Belknap, Bond, Butler, A. F. Cole, M. J. Cole, Crowley, Denny, Flanders, Frost, Gray, Hall, Hopkins, Ingalls, Jacobs, Jenks, Johnston, Kingsbury, Leighton, Lucas, Nelson, Osborn, Pote, Ryan, Talbot, Vannevar, Wells, Woods, Woolley and Young.

Nays—Messrs. Braman, Conant, Daniels, Davis, Keith, Pickering, Rich, Rogers, Tucker and Wadsworth.

FORT HILL IMPROVEMENTS.

Mr. Butler of Ward Ten moved that the rules be suspended that the orders relating to the improvements of streets on Fort Hill be taken from the table. Carried, when the report of the Committee was received, and the several orders were passed as follows:

Resolve and Order for the widening and grading of Hamilton street, to a width of about fifty feet, between Batterymarch street and Washington square, at an expense of $97,636 12.

Resolve and Order to lay out and grade Sturgis street, about fifty feet wide, between Pearl street and Broad street, at an expense of $212,404 50.

Resolve and Order to lay out and grade Hartford street, about fifty feet wide, between High and Purchase streets, at an expense of $76,087 50.

Resolve and Order to widen High street to a width of about fifty feet, between Pearl and Oliver streets, at an expense of $93,536 85.

Resolve and order for the grading of Washington square, at an expense of $119,600.

Resolve and order for the widening and grading of Washington avenue, to a width of about fifty feet, between Washington square and Purchase street, at an expense of $46,176 75.

Resolve and order for the widening and grading of Purchase street, to a width of about fifty feet, between Pearl and Broad streets, at a cost of $226,713 80.

Resolve and order for the laying out and grading of Pearl place, between Pearl and Oliver streets, at a cost of $22,470.

Resolve and order for the grading of Wendell street, between Oliver and Hamilton streets, at a cost of $7700.

Resolve and order for the widening of Broad street, at the junction of Atlantic avenue, at a cost of $8074.

The following order was also passed:

Ordered, That the Treasurer be, and he hereby is, authorized to borrow, under direction of the Committee on Finance, the sum of one million two hundred and fifty thousand dollars, the same to be appropriated for the laying out, widening and grading of the streets on Fort Hill, and also for paving, water-pipes, sewers, cesspools and street lamps, and for all other necessary expenses to be incurred in consequence of improving the the said streets, as aforesaid, the said appropriation to be called the "Fort Hill Improvement Loan."

The ordinance providing for the care and management of the Boston Water Works was first laid upon the table, on motion of Mr. Wadsworth of Ward Four, and subsequently, on motion of Mr. Rich of Ward Fourteen, taken from the table, and ordered to a second reading.

UNFINISHED BUSINESS.

The following orders were adopted:

Orders authorizing the Comins Schoolhouse to be refurnished, and the yard to be fenced, graded and paved; authorizing the several schoolhouses to be cleaned and repaired during the present vacation.

The order authorizing the erection of a primary schoolhouse on the land set apart for the purpose on Berlin street, and a loan of $58,000, to be appropriated therefor, was laid on the table, on motion of Mr. Keith, as there were not a sufficient number of members in attendance to pass the order, had they all voted for it.

PETITIONS PRESENTED AND REFERRED.

T. Warren Gould, to be compensated for personal injuries sustained in consequence of an alleged defect in Court street; to Committee on Claims.

G. F. Towle, for damages to cess-pool caused by construction of hose house on Bowdoin street; to Committee on Public Buildings.

THE FRENCH CABLE.

The following message, relating to the landing of the French cable, was communicated to the Council by His Honor the Mayor:

EXECUTIVE DEPARTMENT.
CITY HALL, BOSTON, 22 July, 1869.

*To the City Council of the City of Boston:*

Having been informed that the telegraphic cable intended for communication between this country and France will, in the course of this month, be laid and a communication formed which will connect this city with the capital of France, I respectfully call your attention to the fact, believing that this important event should not pass unnoticed by the authorities of a city whose commercial interests will be so much and so favorably affected by the enterprise.

Respectfully,
NATH'L B. SHURTLEFF, Mayor.

Read and sent up.

An order was subsequently introduced, appointing a special committee of three of the Council, with such as the Board of Aldermen may join, to make arrangements for proper demonstrations on the occasion of the landing of the cable, the expense to be charged to "incidentals."

Mr. Jenks of Ward Three, reminded the gentleman who introduced this order, that only a few moments ago he was opposed to giving a committee power to expend whatever sum they deemed requisite to accomplish a certain object. He hoped the amount to be expended under this order would be limited.

Mr. Keith said that after the precedent set by the Council in that case, he was justified in advocating reliance upon the integrity, discretion and judgment of the committee to be appointed with reference to the French cable.

Mr. Jenks rejoined that he was glad the gentleman from the Fifteenth Ward has so far recovered his memory that he can now recollect the passage of the last order relative to the ferries.

The order was adopted, and Messrs. Keith, Poor and Denny were appointed on the committee. By a vote of the Council, the President was added to the committee.

CHURCH STREET COMMISSIONERS.

An order was adopted authorizing the Mayor, with the advice of the Joint Special Committee on Church Street District, to discharge the commissioners on said district at any time after the first of August next, and for the Committee on that district to take charge of the work.

REVIEW OF FIRE DEPARTMENT.

On motion of Mr. Ryan it was ordered that the Board of Engineers and members of the Fire Department be requested to parade with their engines, hose and hook and ladder carriages for review and inspection by the City Council on some day to be designated by the Committee on Fire Department.

On motion of Mr. Ingalls of Ward Twelve the resolve and order for the widening of East Castle street on its northerly side was taken from the table and rejected by a vote of 8 yeas to 28 nays. Subsequently, a motion to reconsider, made by Mr. Wells of Ward Three, was rejected.

On motion of Mr. Rich of Ward Fourteen the ordinance in relation to public buildings and the ordinance to amend an ordinance in relation to sewers, severally reccommended by the Committee on Ordinances, were taken from the table and passed.

Mr. Osborn of Ward Six moved that when the Council adjourned, it be to the last Thursday in September.

Mr. Ingalls of Ward Twelve suggested that so long an adjournment might necessitate special meetings, when many members being absent from the city, could not be notified in time to attend, he moved to amend the motion, so that the adjournment should be to the first Thursday in September.

The vote was taken on the longest time first, and the Council rejected it. The amendment to adjourn until the first Thursday in September was carried, and the Council then adjourned till that time.

## Proceedings of the Board of Aldermen,

## JULY 23, 1869.

A special meeting of the Board of Aldermen was held at twelve and a half o'clock this afternoon, Mayor Shurtleff in the chair.

The Mayor said he had called this special meeting to take some action in respect to the landing of the French Cable, news of the arrival of which at Duxbury is hourly expected. He then read the communication he had sent to the Common Council, and also the order adopted by that body for the appointment of a committee to make suitable arrangements to mark the great event.

The order was adopted in concurrence by the Board of Aldermen, and the following-named Aldermen were appointed upon the committee: Messrs. James, Bradlee and Fairbanks.

Alderman White presented the petition of the Shoe & Leather Dealers' Insurance Company, and other companies, institutions and individuals, occupants of premises on Devonshire street, between State and Milk streets, that the street between those points be paved with the Stafford, or some other wooden paving. Referred to the Committee on Paving.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## JULY 26, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at 4 o'clock Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers, without pay—Eben M. Seaver, for duty at Gallop's Island; J. C. Rice, for duty at Long Island.

PETITIONS PRESENTED AND REFERRED.

S. H. Russell, trustee, and others, that Doane street be repaved, with wood.

Dunbar, Waters & Co., and others, that Franklin avenue be paved with wood.

A. D. Hodges and others, for the laying of a sidewalk on the south side of St. James street and the corner of Shawmut avenue.

Severally referred to the Committee on Paving.

Margaret Bralley, that the city would make her full compensation for her estates taken by the city on Fort Hill. Referred to the Committee on Streets.

Rachel Warnock and sister, to be compensated for expenses incurred in the sickness and death of their father (William), occasioned by an alleged defect in Washington street. Referred to the Committee on Claims.

Company B, Ninth Infantry, for an allowance towards the rent of their armory in Eliot street. Referred to Committee on Armories.

Charles F. Harrington, Colonel of Seventh Regiment M. V. M., for the use of Faneuil Hall for the practice of the drum corps of said regiment. Referred to the Committee on Faneuil Hall.

D. D. Fisk and others, for a sewer in Fifth street, east of O street.

Jabez H. Sears, for a sewer in N street, between Broadway and Third street.

Charles D. Swain, for a sewer in Guild row. Severally referred to the Committee on Sewers.

NOTICES OF INTENTIONS TO BUILD.

M. Breen, No. 18 I street; E. R. Frost, Fifth street, between M and N streets; Andrew Abbott, 11 Causeway street; T. K. Daunt, Sixth street, between C and D streets; James Allen, Ninth street, between Dorchester and Lark streets; Patrick Doherty, D street, between Fifth and Sixth streets; Philip Clark, 411 Chelsea street; Isaac H. Williams, 5 White Street court, East Boston; J. H. Gibblin and Thos. Gugin, Woodward street; John P. Barnard, Brimmer street; Julia Dorgan, Brooks street, between Paris and Bennington streets; Joseph Reidel, Conant street; Keyes & Kelley, East street and East Street place; H. A. Sharp, 10 Paris street; Richards & Park, 360 to 368 Tremont street; Davis Damon, Bennington street, between Central square and Marion street; G. Scherer, Eighth street, between Dorchester and Lowland streets; A. C. Martin, corner of Oliver and Milk streets; Robert Wright, corner of Shawmut avenue and Ball streets; J. E. & N. Brown, corner of Matthews street and Leather square; Wm. M. Rumely, 4 Allston street. Severally referred to the Committee on Streets.

QUARTERLY REPORT OF THE SUPERINTENDENT OF STREETS.

The report of Charles Harris, Superintendent of Streets, was received, stating that there had been expended and charged to the appropriatiation for paving, &c., during the quarter ending June 30, for paving, grading and repairs of streets in the city proper, South Boston, East Boston and Roxbury, the sum of $216,360 50. The amount paid into the city treasury during the same period, credited to the paving department, was $3526 94. Read and ordered to be sent down.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the petition of owners of property on Tremont street and vicinity for the widening and extension of Mason street, was taken up.

The remonstrances of Manton Eastburn and others, Grand Lodge of Masons, of Charles Amory and others, and of John Amory Codman, were read, setting forth that the measure would be of no material benefit or public convenience, while it would prove to be a serious injury in some cases.

R. E. Apthorp and Dr. D. K. Hitchcock desired to have their names changed from petitioners to remonstrants, believing that on the proposed plan the widening and extension would be an injury rather than a benefit, as they at first anticipated.

Wm. S. Morton, agent, and W. W. Codman appeared as remonstrants, Horatio G. Parker in behalf of G. F. & G. W. Williams and other parties, were also represented as remonstrants, including the heirs of George E. Head, Bishop Eastburn and Mary J. Williams.

The report was recommitted.

The hearing on order of notice on the petition for the extension of Lovering place, was taken up. After having been recommitted the vote was reconsidered, and remonstrants were heard.

Robert Treat Paine, Jr., appeared for the Boston Female Asylum, to whom he said the opening of the proposed street would prove a serious inconvenience. The grounds of the Asylum were laid out with reference to the closing of the place to public travel, and the school-rooms were now at the end of the building adjoining this place, on account of its quiet. With the widening and opening of a street, it would be noisy and dusty, disturbing the quiet of the inmates, while it would be of no peculiar advantage as a public thoroughfare. If necessary to make a public street, the place at the other end of the building will be less inconvenient and subject to less expense. The proposed street is not needed, and the taking of land for the purpose would be expensive. The project he supposed came from the owners of property on the north side of the place, to benefit their property at the expense of the city.

F. D. Stedman, as a petitioner, stated that the place was now used as a common highway. Formerly there was a chain across the outlet, which had been broken down, and it was difficult to keep it closed to public travel. There was need of another passageway in that vicinity, from Washington street to Harrison avenue, and the abutters were willing to give the fee in the place and pay a fair portion of the expense of making it a public street. The strip of land adjoining, belonging to the Asylum, was but a passageway to a coal hole; and in his regard to the quiet of the institution he would be the last person to disturb it. The cost of keeping the place in repair, it was urged, was getting to be burdensome, on account of the travel through it. On the other side of Washington street was a stable and a passageway, and sometime it would be found necessary to open a street there, greatly increasing the taxable property. The opening could now be made at less expense than hereafter, and the Asylum would not be more exposed or subject to more noise.

The report was recommitted, the parties on both sides expressing a wish to say something further on the subject before the committee.

The hearings on the orders of notice on the proposed laying out of Kendall street; on the petition of the Winthrop Railroad Company for a renewal and confirmation of location; on the proposed extension of the Grenville street sewer, and on the extension of the Friend street sewer; also on the petition of Howard Snelling & Co. for leave to construct a stable for more than four horses at 521 Commercial street, and of H. W. Eames for leave to construct a stable on Berkeley and Providence streets, were severally taken up. No person appearing in either case, the reports were recommitted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That there be paid to Eben B. Phillips and Isaac Rich the sum of $12,006 for land taken and damages occasioned by the widening of Summer street, at the corner of High street, by a resolve of July 16, 1869.

Ordered, That there be paid to Frederick H. Bradlee $500 for land taken and damages occasioned by the widening of West street, by a resolve of Feb. 9, 1869.

Ordered, That there be paid to Stephen Dow $1575 for land taken and damages occasioned by the widening of High street, at the corner of Summer street, by a resolve of July 16, 1869.

Ordered, That the armory of Co. K, Ninth Regiment of Infantry, M. V. M., in Wait's building, on Broadway, be and the same hereby is approved as a suitable place for the deposit of arms, at an annual rental not exceeding $400.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Tremont street, between Washington and Parker streets, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Avon place, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Albany street, between Sharon and Newton streets, and in Newton street, between Albany street and Harrison avenue, and report a schedule of the expense to this Board.

Ordered, that the Superintendent of Streets be directed to construct a common sewer in Allen street, and report a schedule of the expense to this Board.

PAPERS FROM THE COMMON COUNCIL.

The petitions of T. Warren Gould, to be compensated for personal injuries, and of Samuel F. Towle, to be compensated for damages to leasehold estate, were referred in concurrence to the Committee on Claims.

The following orders were passed, in concurrence:

Order for the repairs of such schoolhouses in vacation as may be required.

Order for furnishing and completing repairs on the Comins Schoolhouse.

Order authorizing a parade of the Fire Department, on such day as the Committee on the Fire Department may determine.

Order to pay Charles R. Train for services before the Legislature on subject of the annexation of Dorchester, was considered on the proposed amendment, in the substitution of $500 for $1000.

Alderman Bradlee expressed the hope that the Board would not concur in the amendment. The Committee having in charge the subject of annexation of Dorchester to this city, were appointed with full powers. Believing it desirable to forward the work, they employed Mr. Train in good faith. They could not make a bargain with him as to the amount which he should be paid, for they could not tell how much labor would be required. That labor was done to the entire satisfaction of the Committee. He had made inquiries of professional men as to the value of such services, and in no instance did he find the sum fixed so low as that proposed to be paid, the lowest sum being $1200. The bill as rendered was acted upon by the Committee, who were unanimous in their approval of it, believing that in the time and labor expended by him and in the effect produced, it was just and proper, and ought to be paid.

Alderman Van Nostrand said as Chairman of the Committee he at first thought the bill to be very high, but after consultation with the other members, and on inquiry as to the value of the services, he was satisfied that the bill was right. He could not attend to the matter himself, but Mr. Train did attend at the State House faithfully and successfully, and he should be paid liberally. He hoped the Board would adhere to its former vote.

Alderman Baldwin said he had twice voted against the order, and on investigation was satisfied that $500 would amply repay Mr. Train or any other person for such services. Without reflecting at all on the Committee, he could not see why the City Solicitor, or his two assistants, could not have been called upon to perform this service, and thus relieve us from the expense. The services of Mr. Train in this matter were not more than those of the other Commissioners on the subject of annexation, each of whom had been paid $500. He moved that the Board concur with the Council.

Alderman Bradlee said he wished merely to say in explanation that the labors of the Commissioners and this had nothing to do with each other. The Commissioners had closed their labors on this subject before the appointment was made in this case. This committee commenced from a new standpoint, afresh in the matter, and in the discharge of his duties Mr. Train had dealt honorably and straightforward.

Alderman Baldwin inquired by what authority the committee employed counsel in the matter.

Alderman Bradlee replied, by the authority of the order under which they were appointed.

Alderman Pratt said if there had been any fault it was in the primary proceedings of the City Council. In 1867, in a case which he could not now recall, a question was raised as to the propriety of paying $500 to each Commissioner, but the bills were paid because approved of by a committee. In this case the chairman of the committee had indorsed Mr. Train's bill as a proper one, and the Council could not go back of it. What he wished to suggest was that in the future the proper amount to be paid shall be designated when a commission is appointed, and not wait until the case comes up for final action, when no question could be raised as to the amount. He doubted much whether the services rendered could be valued at $1000. Even if he was engaged in it for a month, it would be a large amount for the best professional labor. He was not willing to vote against the amount, but if a similar matter should come up again it should be properly considered before action was taken.

The amendment was nonconcurred in.

The order for the discontinuance of the Church Street Commission as soon after August 1st as the Joint Committee on that subject may deem best, and for the transfer of the powers of said Commission to said Committee, etc., with authority to appoint a Superintendent to complete the remaining work, was considered. The order was nonconcurred in, by a vote of 4 to 7.

A petition was presented from D. S. Gilchrist, relative to an application made by him to the Committee on County Accounts, to be employed to arrange and index the papers in the Registry of Probate for this county, under an order of the Board of Aldermen, in which he prays that the action of the Committee in the premises may be suspended, and that a special committee be appointed to whom the petition may be referred, and who shall report as to the proper person to be employed upon the said work.

The question being upon the reading of the petition, Alderman Pratt said he had no objection to its being read, although evidently the result of disappointment, or to a full consideration of the subject. It was but just, however, to the committee, to say, that they had not committed themselves in reference to this subject, and that no contract had been made for the work.

Alderman Bradlee said the petitioner had frequently been before the Committee on County Accounts, at least before each member of the Committee, and he did not doubt he would like to appear before another committee and talk by the yard. He supposed that the petition was presented through pique or disappointment at the supposition that some other person had been appointed to do the proposed work. The Committee had acted as they believed for the public good, and if he should come before the Board on a hearing, they would all agree with their action. He would move that the petitioner have leave to withdraw but would withdraw the motion if any Alderman wished to make any other motion.

The motion giving leave to withdraw was carried.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses to four boys, to sell papers, mats, elastics, and as a bootblack. Severally accepted.

Alderman White also reported in favor of licenses to sundry persons as victuallers, wagon licenses, and for hack stands. Severally accepted.

HACK FARES, REGULATION OF TEAMS, ITINERANT MUSICIANS.

Alderman White, from the Committee on Licenses, who were requested to report some specific rates of fare for the conveyance of passengers in backs from the city proper, so called, to East Boston, South Boston or the Boston Highlands, having carefully considered the subject, reported rules and orders for the establishment of certain rates of fare from different sections of the city proper to the Boston Highlands.

The Committee are of opinion that it would be inexpedient to establish new rates of fare between the city proper and East Boston or South Boston, as the present rates appear to be generally satisfactory.

The Mayor and Aldermen having received authority under chapter 301 of the acts of 1869 to make such rules and regulations in relation to the passage of vehicles through the streets and public

ways of the city as they should deem necessary for the safety or convenience of those who travel over said streets or ways, on foot or in vehicles, the committee have prepared certain rules, which they submit in connection with those relating to the fares.

Under the authority of the same act they also submit an order for the regulation of itinerant musicians.

IN BOARD OF ALDERMEN, July 26, 1869.

Ordered, That in addition to the present rules and orders for the government and regulation of carriages, the following rules and orders be adopted, until otherwise ordered:

Section 1. On and after the first day of August, 1869, the prices or rates of fare to be taken by, or paid to, the owner, driver or other person having charge of any hackney carriage, except omnibuses, shall be as follows:

For one adult passenger, from any place in the city proper, north of Essex and Boylston streets, to any place in the Boston Highlands, or from any place in the Boston Highlands, to any place in the city proper, north of Essex and Boylston streets, the fare shall be two dollars and fifty cents; for two passengers, one dollar and twenty-five cents each; for three passengers, one dollar each; for four passengers, seventy-five cents each.

For one adult passenger, from any place in the city proper, south of Essex and Boylston streets, and north of Dover and Berkeley streets, to any place in the Boston Highlands, or from any place in the Boston Highlands to any place in the city proper, south of Essex and Boylston streets, and north of Dover and Berkeley streets, the fare shall be two dollars; for two passengers, one dollar each; for three passengers, seventy-five cents each; for four passengers sixty-two and a half cents each.

For one adult passenger, from any place in the city proper, south of Dover and Berkeley streets, to any place in the Boston Highlands, or from any place in the Boston Highlands to any place in the city proper, south of Dover and Berkeley streets, the fare shall be one dollar and twenty-five cents; for two passengers, seventy-five cents each; for three or more passengers, fifty cents each.

For children under four years of age, with an adult, no charge shall be made. For children between four and twelve years of age, when accompanied by an adult, twenty-five cents each.

No owner, driver, or other person having charge of a hackney carriage, shall demand or receive any more than the price or rate of fare herein established, under a penalty of not less than ten nor more than fifty dollars for each offence; and he shall forfeit his license. And for refusing to carry any passenger from any railroad station or steamboat landing, to any point within the city, the owner, driver, or other person having charge of such hackney carriage shall be subject to a like penalty.

This section shall be kept posted in some conspicuous place in every licensed vehicle used for the conveyance of passengers, under a penalty of five dollars for each and every day this regulation is not observed.

Sect. 2. No owner, driver or other person having the care of any street car, chaise, carryall, hackney-carriage, truck, cart, wagon, hand-cart, sleigh, sled, hand-sled, or other vehicle whatever, finished or unfinished, with or without a horse or horses, or other animal or animals harnessed thereto, shall drive, or place, or allow to be driven or placed, said vehicle within ten feet of the vehicle in front of the same at any foot-path or crossing in any of the streets or ways of this city; and such owner, driver or other person shall, when requested by any police officer, stop such vehicle at any place in the street for the purpose of allowing persons on foot to cross the street in safety. No person shall be allowed to drive, or have the care of, more than one vehicle in the streets or public places of the city; and every vehicle with a horse or horses or other animal or animals harnessed thereto, shall be under the care of some competent person. And any person offending against either of the provisions of this section, shall be liable to a fine of not less than five dollars, nor more than twenty dollars for each offence.

Sect. 3. No owner, driver or other person having the care of any street car, chaise, carryall, hackney carriage, truck, cart, wagon, hand-cart, sleigh, sled, hand-sled or other vehicle, shall drive or allow to be driven, the car or other vehicle of which he has the care, against, or foul of, any person or vehicle, or anything whatever in the streets of the city; nor shall he drive, or allow to be driven, the car or other vehicle of which he has the care, around the corner of any of the streets in this city with the horse or horses attached thereto travelling at a faster gait than a walk. And any person offending against either of the provisions of this section, shall be liable to a fine of not less than five dollars nor more than twenty dollars for each offence.

IN BOARD OF ALDERMEN, July 26, 1869.

Ordered, That on and after the first day of August, 1869, and until otherwise ordered, no person or persons shall appear in any of the streets or public places in the City of Boston to play upon any hand-organ, hurdy-gurdy, tambourine, or other musical instrument, or beat upon a drum, or blow any horn or trumpet, without a permit from the Chief of Police, or Deputy Chief of Police; and any such permit may be revoked by the said chief or his deputy, whenever either of them deems it expedient; and whoever appears in any of the streets or public places to play upon either of such instruments without such permit, shall be liable to a fine of not less than two dollars, nor more than twenty dollars.

The orders were read once.

Alderman Talbot inquired whether under the last order musical bands would be obliged to get permission to play in the streets.

Alderman White replied that they would not; it was not intended for bands of music, but for burdy gurdies and such instruments, which have become a nuisance in the streets.

Alderman Bradlee raised a question under section 2, as to the application where there was a string of several horses;—whether the ten feet was meant as the distance between the head horse and the team forward, or between the teams. There might be some legal loop-hole here by which the provisions of the section might be evaded.

Alderman White explained it as having reference to horses where there was a long team, to which it was replied by Alderman Bradlee that the term was vehicle, and he did not wish to leave a legal loop-hole out of which any one could escape.

Alderman Talbot stated that the section was too complicated, and it was objectionable in relation to one person driving two teams. In cases of dirt carts where one person can manage two teams, it would bear hard, and add much to the expense of removing dirt. In relation to the hack fares he had no objection, but hoped the consideration of the other portions would be laid over.

The Chair stated that he should decide that under the rule the orders should lie over.

Alderman White said it was desirable that the rates of hack fares should pass, as it was designed they should take effect on the 1st August. He had no objection to the other portions lying over.

The first section, establishing hack fares, was read a second time and passed.

Alderman Talbot moved to recommit the remainder of the report, since the Committee would find it necessary to make some changes in the remaining section and order.

Alderman Pratt moved an amendment to the last order, after the word trumpet the following: "or expose to the public gaze any wounds, amputated limbs, maimed or distorted, for any purpose whatever."

In support of the amendment he said the Police Department, or somebody, was to blame for allowing such exhibitions as were specified, which were an outrage on the public sympathy. Ample provision was made for such cases, and the whole public will indorse the suppression of such exhibitions.

Alderman White stated that the order was based upon the provision of a legislative act which could not be amended by the Board of Aldermen.

The orders and amendments were recommitted to the committee.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Talbot also reported on the petition for the widening and extension of Mason street, recommitted, that further action thereon was inexpedient, and leave to withdraw on petition of Eliza Shea, to be paid leasehold damages on account of the widening of Federal street, the dam-

ages on account of that estate having been paid to the owner, Edward Westcott. Severally accepted.

Alderman White, from the Committee on Licenses, on the petition of H. T. Litchfield, reported the following order, which was passed:

Ordered, That H. T. Litchfield be granted a license to run two omnibuses in this city from Bowdoin square through Court, State, Broad, Summer, Winter, Tremont and Court streets to Bowdoin square, subject to the rules and regulations heretofore passed, or that may be hereafter adopted, in relation to carriages and omnibuses.

Alderman James, from the Committee on Paving, reported leave to withdraw severally on petitions of James A. Maynard for postponement of order for him to furnish edgestons and lay sidewalk in Eutaw street; of Elsie A. French, for abatement of assessment for sidewalk at 190 Saratoga street; and inexpedient on the petition of Brooks & Ball and others, for the paving of Devonshire street with wood. Severally accepted.

Alderman James, from the Committee on Common and Squares, to whom was referred the petition of Elijah C. Drew for leave to cut down the row of trees in front of the building which he is erecting on Washington street, between Springfield street and Worcester street, made a report that before putting in his petition, Mr. Drew had cut down one or more of the large and handsome elm trees in front of his building, and had mutilated the others, so as to entirely destroy their beauty.

Mr. Drew puts in a petition at this time, apparently for the purpose of relieving himself from the penalties of a violation of the law, the police having entered a complaint against him in the Municipal Court. Under the circumstances, the committee would recommend leave to withdraw on the petition.

The report was accepted.

Alderman James, from the same committee, reported leave to withdraw on the several petitions of S. S. Gray and others, that stone steps be placed at the northeast and northwest corner of Independence square; of Winslow B. Lucas and others that velocipede riders may use the malls of the Common before 7 A. M. each day; of Wm. C. Lord, for leave to exhibit velocipedes on the Common; and on the petition of Edward H. Maxwell that new trees be planted in Washington street to replace those removed near Worcester street, the committee state that they have taken measures to repair, as far as possible, and guard the trees remaining in front of E. C. Drew's building on Washington street. Severally accepted.

ORDERS OF NOTICE.

An order of notice was adopted, from the Committee on Streets, on the further widening of Hanover street, from Blackstone street to Commercial street. Hearing Monday, August 16, 4 P. M.

On the petition of the Boston & Albany Railroad Company for assessment of damages for taking of land in Utica street. Hearing Monday, August 16, 4 P. M.

ORDERS PASSED.

Orders were passed on the jail requisition, amounting to $5147 94, and to pay bills of certain persons directly or indirectly connected with the City Government.

On motion of Alderman Fairbanks, an order was passed for the collection of assessments for the Sixth and M street sewers, amounting to $1946 87.

On motion of Alderman Seaver, the following was passed:

Whereas, It appears that much confusion and trouble arise in South Market street by the concourse of wagons which approach Faneuil Hall Market in all directions in the afternoons, and that some means of regulating the approach and location of said wagons are necessary, it is therefore hereby

Ordered, That the Superintendent of the Market, or his deputy be, and they are directed, with the approbation of the Chairman of the Market Committee, to close up one end of South Market street against the passage of vehicles whenever they shall deem it expedient so to do, and for such length of time as may be judged necessary for the purpose intended.

On motion of Alderman Baldwin,

Ordered, That there be allowed and paid to the several companies of volunteer militia of this city the sums allowed to said companies respectively by the certificate of the Adjutant-General, dated July 23, 1869, for May inspection of 1869, amounting in the whole to $4718 50, to be charged to the appropriation for militia bounty.

Ordered, That there be allowed and paid to the several companies of volunteer militia the amounts allowed to said companies by the certificate of the Adjutant-General, dated July 23, 1869, for "special duty," the aggregate of said amounts being $6845 68, to be charged to the appropriation for militia bounty.

Ordered, That there be allowed and paid to the members of Company F of the First Regiment of Infantry the sums set to their respective names upon the roll certified by the Adjutant-General, July 22, 1869, for uniforms provided by them in accordance with Chapter 322 of the Acts of 1869, said sums, amounting in the whole to $1220, to be charged to the appropriation for militia bounty.

Ordered, That his Honor the Mayor be authorized to draw warrants on the City Treasurer from time to time for the payment of the uniforms provided by the several companies of volunteer militia in this city, as authorized by chapter 332 of the Acts of 1869, whenever he shall receive from the Adjutant-General of the Commonwealth the proper certificates of the amounts due said companies, respectively, and that said amounts be charged to the appropriation for militia bounty.

On motion of Alderman James,

Ordered, That notice be, and hereby is, given to the South Boston Railroad Company that, in the opinion of this Board, the public safety and convenience require that Broadway should be repaved between C and E streets with small granite blocks, and that said company be directed to pave the space between their rails and three feet outside thereof on said Broadway with small granite blocks, said work to be done at such time as the Superintendent of Streets shall direct, and to his satisfaction.

Ordered, That the Superintendent of Streets be authorized to pave D street, between Second and Fifth streets, with round stones; also to set the edgestones and pave the gutters, sidewalks and crosswalks on said D street, between Fifth and Ninth streets.

Ordered, That the Superintendent of Streets, in the execution of the order passed by this Board, August 3, 1868, for the grading and paving of Devonshire and Water streets, be directed to raise and pave said streets in accordance with the revised grade established Sept. 24, 1868.

Ordered, That the Superintendent of Streets be authorized to reset the edgestones and repave the sidewalks on Myrtle street, between Hancock and Joy streets; and to cover the roadway of said street with the Burlew & Fiske concrete pavement, at an estimated cost of $800.

Ordered, That there be appropriated for the building of the bridge over the tracks of the Boston & Albany and Boston & Providence Railroads and Dartmouth street the sum of $1663, in addition to the sum of $25,000 appropriated for said bridge by order of the Board of Aldermen, April 26, 1869.

Ordered, That the street running between and parallel with East Chester avenue and Northampton street, be hereafter called and known as Division street, and that the Superintendent of Streets be authorized to place street signs upon and number said street.

On motion of Alderman Talbot,

Ordered, That there be paid to John M. Forbes the sum of $18,000 for his entire estate taken and all damages occasioned by the laying out of Atlantic avenue, by a resolve approved December 18, 1868, the same to be charged to the Atlantic avenue loan.

Ordered, That there be paid to the heirs of Wm. Rhoades the sum of $1877 for land taken and damages occasioned by the widening and grading of Washington avenue, by a resolve of July 23, 1369, to be charged to the Fort Hill Improvement loan.

Alderman Talbot offered the following resolve:

*Resolved*, That in the opinion of this Board it is inexpedient to extend Washington street during the present municipal year.

Alderman Talbot said he did not wish for action at this time, but desired to test the sense of the Board, and that it be laid over to the next meeting. It was so laid over.

Alderman Richards moved a reconsideration of the vote rejecting the order relating to the discharge of the Church Street District Commission. He wished to say a few words in explanation, and

then should the Board not be satisfied they could take the same action again.

The motion to reconsider prevailed.

Alderman Richards said he was never more surprised with the action of the Board than in the rejection of this order, when no public opposition had been made to it. The rejection must have been caused by outside statements, and the Committee were entitled to know what they were. The order was offered from the best of motives, on a full consideration of the subject and with a conviction that the services of the commissioners could soon be dispensed with. It was offered in the other branch, when not a lisp was uttered privately or in public that it was not just. What statements have been made, underneath, or what the reasons are which should have induced the course of the Board, he could not understand; but if there were any reasons, he should like to hear them. The work of the Commission is about finished, and the Common Council being about to adjourn for several weeks, what course could be more proper than to take action on this subject. Until this action of the Board, he had not heard a lisp that such action was not a proper one. The whole territory had been raised, the buildings underpinned, and in a few days the work will be completed, and what need was there of waiting five or six weeks for the discharge of the Commission? A superintendent it might be necessary to retain a short time, to fill a yard or to repair a crack in a house; all the rest of the work, the construction of sewers, paving of streets, laying of water pipes, would necessarily come under the superintendents of those departments. Believing it to be no use to retain the Commission, the order was offered. In all his experience in legislation, he never was so struck by any action, and if aldermen had any information which he had not got, he hoped they would state the reasons for their action.

Alderman Van Nostrand said it was for the want of the information which had just been given, that he voted as he did. He did not consider it respectful to the committee so near its end, to pass such an order, and not from any outside causes, which induced his action.

Alderman Pratt inquired if the matters under charge of the Commission were to be referred to the Superintendents of departments.

Alderman Richards repeated what he had before said, that there would be nothing but the filling of some yard, perhaps, or looking after a crack in a house, for the Commissioners to do. The matter of routine in relation to deeds could as well be done by the clerk of committees.

Alderman Bradlee said it was because he wished to hold parties to responsibility for their work, that he voted to retain the Commissioners in their offices. He desired to save as much as possible for the city, but did not consider it proper to dismiss the Commissioners before the work was concluded and they had made their report on the subject.

Alderman Richards said he presumed the Commissioners would make up their report. He did not believe they intended to stay there with nothing to do, and before the 1st September the work would all be done. The discharge of the Commissioners, as proposed by the Mayor, would simplify the remaining work to be done.

Alderman Bradlee said he did not like to appear to make any objections to leaving this business in the hands of the Mayor, but he wished to make the discharge of the Commissioners occur after their report, and not before.

The passage of the order was again lost, 4 to 6.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## AUGUST 2, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Fifteen additional traverse jurors were drawn for the Superior Court, criminal term.

APPOINTMENTS MADE AND CONFIRMED.

Weighers of Coal—Joseph W. Robbins, Joseph Robbins, Edward Robbins.

Police Officers—John W. Chase and James Quinn, to be Captains; Sergeant Silas M. Littlefield, to be Lieutenant; Hawley Folsom, to be Sergeant of Police.

Special Officers, without pay—Dexter Pratt, for Broadway extension; Henry Washburne, 2d, at the Coliseum.

PETITIONS PRESENTED AND REFERRED.

Alfred A. Hall, for leave to erect a brick stable on Piedmont street.

Joseph Marshall and others, that the factories of cod liver oil on the road to Wood Island be removed, they being a nuisance.

James Bacon and others, against the erection of a stable in Piedmont street, by John Foster.

John Bainard and others, against the erection of a stable on Piedmont street, by Alfred A. Hall.

Severally referred to the Committee on Health.

Asa Southworth and others, that a gas lamp be placed and lighted in Belknap place. Referred to Committee on Lamps.

Frederick Nickerson and others, that measures be taken to destroy the caterpillars on the trees in South Boston.

C. J. Bishop and others, that the city would remove the wooden buildings in and around St. James Park.

Severally referred to the Committee on Common and Squares.

Boston Pilots, for amendment of quarantine regulation, upon which an order of notice was issued.

Thos. J. Dunbar and others, to be relieved from damages alleged to have been caused by construction of a sewer in Shawmut avenue, near Circuit street.

Alvah Kittredge and others, for a sewer in Linwood street.

Severally referred to the Committee on Sewers.

Officers of First Brigade, for a suitable room for headquarters. Referred to the Committee on Armories.

O. A. Grover and others, that a cesspool be constructed at the northeast corner of F and Fifth streets.

A. & A. Jacobs and others, that the streets on City wharf be repaved. Referred to the Committee on Paving.

Michael Holland, for license as a dealer in second hand articles. Referred to the Committee on Licenses.

Samuel F. Towle, 1530 Washington street, a petition as follows:

The undersigned respectfully represents that certain phenomena occur at house No. 102 West Springfield street, which are objects of public curiosity and interest, and he therefore prays that he may be licensed to exhibit said house, for a proper fee, to such persons as may desire to inspect and investigate such phenomena.

A report was made by Alderman White, from the Committee on Licenses, in favor of the license, which was accepted.

NOTICES OF INTENTION TO BUILD.

W. J. R. Evans, 174 Tremont street; Geo. F. Pond, Old Harbor, between Telegraph and Eighth streets; Eliza Shea, 124 Dove street; Honorah Hayes, corner of Brooks and Paris streets; Wm. Soule, 266, 270 Friend street; John Mahoney, Prentiss street, opposite Pierpont street; John Clancy, Athens street, near Second street; John Hogan, First street, between Dorchester and F streets; A. L. Bailey, Emerson street; George Kriegel, Chadwick street; Cornelius H. Callahan, Gates street, between Telegraph and Eighth streets; Henry F. Muldoon, Gates, between Telegraph and Eighth streets; M. S. Gifford, Broadway, between D and E streets; Michael Driscoll, Dorchester street, between Ninth street and railroad bridge; J. F. & D. J. Haines & Co., rear 22 Maverick square; D. E. Poland, Piedmont street; John Luchini, Dorchester street, between Sullivan and Alger streets; Patrick J. McCuen, Sixth street, between B and C streets; M. F. Wells, corner Piedmont and Pleasant streets. Severally referred to the Committee on Streets.

REPORT OF SUPERINTENDENT OF MARKET.

The report of C. B. Rice, Superintendent of Faneuil Hall Market, for the quarter ending July 31, was as follows:

| | |
|---|---|
| Receipts for rent of stalls | $10,396 50 |
| " " cellars | 5,280 00 |
| " permanent outside stands | 498 75 |
| Fees received for weighing at market scales | 66 00 |
| Receipts for rent of stalls in new market | 3,030 00 |
| Receipts for rent of cellars in new market | 1,462 50 |
| Outside stand for trees | 21 00 |
| | $20,754 75 |

Which amount has been paid into the City Treasury, as per receipts.

Ordered to be placed on file.

REPORT OF OVERSEERS OF THE POOR.

The report of the Overseers of the Poor, for the quarter ending July 31, 1869, exhibited the following results:

| | |
|---|---|
| Cash on hand, April 30, 1869 | $4,116 48 |
| Drafts on City Treasurer | 15,000 00 |
| Cash from Cities and Towns | 302 80 |
| Cash for Burial | 6 00 |
| | $19,425 28 |

The expenditures were as follows:

| | |
|---|---|
| Paid for burials | $358 25 |
| " cities and towns for relief of Boston poor | 50 47 |
| " pensions and grants at office | 3,451 00 |
| " immediate relief of persons having no settlement | 122 00 |
| " for coal | 311 70 |
| " for groceries | 3,030 00 |
| " for salary of Secretary | 550 00 |
| " " bookkeeper | 375 00 |
| " " clerk | 162 50 |
| " " visitors | 900 00 |
| " office expenses | 122 40 |
| " transportation | 13 84 |
| " engineers and janitor's salaries and expenses | 556 87 |
| | $10,004 03 |
| " City Treasurer amount received from the State | 7,274 79 |
| " received from State for Massachusetts Infant Asylum | 672 14 |
| | $17,950 96 |
| Balance on hand | 1,474 32 |

Read and ordered to be sent down.

DECLINATION OF CITY LIQUOR AGENT.

The following communication was laid before the Board, read and placed on file:

*To the Mayor and Aldermen of the City of Boston:*

Gentlemen—I received notice from S. F. McCleary, Esq., City Clerk, that I had been appointed Liquor Agent for the city of Boston. I fully appreciate the compliment, and for which please accept my thanks; but after careful consideration, I feel it to be my duty to respectfully decline the appointment.

Very respectfully, your obedient servant,

THOS. HOLLIS.

*Boston, July* 31, 1869.

Alderman White offered the following resolution:

*Resolved*, That in the opinion of this Board, it is inexpedient to make any further appointment of liquor agents by the Mayor and Aldermen of this city.

Alderman Richards inquired what position the

people would be placed in, should this resolution be adopted, and whether those who found it necessary to purchase liquors under the law would be able to make the purchases they needed.

Alderman White did not think it would make much difference, for liquors were freely sold and could be obtained without much difficulty. In the failure to get any respectable apothecary to accept the appointment, he did not think it worth while to make another attempt.

The Mayor stated that under the law the State Commissioner had authority to appoint five agents for this city. There was, however, a penalty to which the city would be liable, in case of failure to make an appointment.

Alderman Richards said his desire was to know whether there was some other appointing power besides that of the city. He had not made the attempt to purchase liquors, but supposed the Alderman who offered the resolution might be authority upon the question whether liquor could be obtained in the city.

The Mayor further stated that he was prepared to make another nomination.

Alderman James expressed the hope that the Mayor would have another opportunity to make an appointment, and that the resolution would not pass.

The question was taken on the resolution, which was rejected.

The Mayor submitted the nomination of Solomon Carter, as one of the most responsible apothecaries in the city, for Liquor Agent, and the nomination was confirmed.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the proposed laying out of Newbury street, as a public street, from Arlington street to Berkeley street, was taken up. No person appearing in opposition thereto, the report was recommitted.

The hearing on the petition of Geo. B. Harrington, for leave to put a steam engine into the building corner of Green and Pitts streets, was taken up No one objecting, the report was recommitted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That the Superintendent of Streets be authorized to repave Broadway, between C and E streets, with small granite blocks, at an estimated cost of $22,000.

Ordered, That there be paid to Cynthia W. Batchelder the sum of $345, in full compensation for all damages done to her estate, numbered 555 Shawmut avenue, by the raising of the grade of said avenue, upon her proving her title to said estate to the satisfaction of the City Solicitor, and upon her giving to the city an acquittance and discharge for all damages, costs and expenses on account of the raising of said grade, the same to be charged to the appropriation for paving.

Ordered, That there be paid to Lucius P. Abbott the sum of $296 in full compensation for all damages done to his estate numbered 557 Shawmut avenue, by the raising of the grade of said avenue, upon his proving his title to said estate to the satisfaction of the City Solicitors, and upon his giving to the city an acquittance and discharge for all damages, costs and expenses on account of the raising of said grade, the same to be charged to the appropriation for paving.

EXTENSION OF WASHINGTON STREET.

The following order, offered by Alderman Talbot at the last meeting of the Board, was considered:

*Resolved*, That, in the opinion of this Board, it is *inexpedient* to extend Washington street during the present municipal year.

Alderman Rice offered, as a substitute, the following:

*Resolved*, That it is expedient to extend Washington street during the present municipal year.

Alderman Talbot said that as there were two routes proposed, it was desirable that the mover should designate which route.

Alderman Rice said he proposed to offer another order on the subject, should the substitute be adopted, which was read for information, as follows:

Ordered, That the Committee on Laying Out and Widening Streets be directed to report to this Board the estimated expense of each of the following named routes for the extension of Washington street: over to Haymarket square, sixty feet in width, and through Portland street at the same width.

Alderman Talbot said he had no objection to voting for the substitute instead of the original order. As a matter of record he did not know but that one could be substituted for the other.

Alderman Richards said he had no objection to voting on this in preference to the other, except that should it not be thought expedient to extend Washington street the present year, on account of the expense, it would be better to vote the resolution down and not put the committee to the trouble of reporting upon the estimated expense of the extension.

Alderman Bradlee said that in looking over the city, it was plain that Washington street must be extended at no distant period. The present work of widening Hanover street, with the talk of extending Washington street, has created such a state of confusion that no one in the vicinity is willing to take leases in the uncertainty attending them, and owners of property are unwilling to make leases when by the proposed extension they will be worth much more in a few months. Although the city has a great amount of work on hand in the widening and extending of streets, it is well to look this matter fairly in the face. There was no question of the ultimate if not immediate necessity of the improvement, which would be of the greatest moment of anything which had been done for a number of years. He hoped that during his term of service in the Board the measure would be approved, and that steps would be taken to have it carried out. He was in favor of the Haymarket square route, but his vote would depend upon the cost. The other order, of which notice was given, he believed to be a wise one, under which the Board would have the cost before them.

Alderman Richards asked to have the yeas and nays on the resolution. He should be glad to give his vote in favor of the extension of Washington street, and believed it expedient to take measures for carrying it out the present year.

The question was taken on the substitute of Alderman Rice, which was carried by a unanimous vote, as follows:

Yeas — Baldwin, Bradlee, Fairbanks, Hawes, James, Rice, Richards, Seaver, Talbot, Van Nostrand, White.

Absent—Pratt.

The resolve, as amended by the adoption of the substitute, was passed.

The order of which Alderman Rice gave notice, for a report of the estimated expense of each of the two routes, being under consideration,

Alderman Baldwin proposed an amendment, as follows:

"And also to report the amount of estimated betterments on each of the proposed routes."

Alderman Richards doubted whether it was practicable to ascertain with any accuracy the amount of betterments which might be assessed upon the property abutting on the proposed improvements.

Alderman Baldwin, in his experience on the Committee on Streets, believed it to be quite as practicable for the assessors to make an estimate of the amount of betterments which may be assessed in the proposed extension of Washington street as to estimate the expense under the ordinary widening of streets.

The amendment proposed to the order of Alderman Rice was accepted.

Alderman Talbot thought it might be a question of the cheapest route. In the present position of the question the widening of Hanover street at the corner of Elm street is held in abeyance, since, if the Portland street route is adopted, it would take nearly all the estate on the corner of Elm street. Even if the route to Harmarket square is adopted, it is clear that Portland street must be extended to Washington street. He had been favorable to the Haymarket square route, but on looking at the angles which would be made in almost all the estates, it would appear that it would not leave any fronts. The Portland street route would not so injure estates, but would give a greater chance for betterments.

Alderman Bradlee said his preference had also been for the Haymarket square route. If it proved that in cutting up of estates badly, the expense would be greater in proportion to the improvements, it would be a strong reason why the other route should be preferred; although his preference was still for the Haymarket square route.

The order as amended was passed.

REPORTS OF COMMITTEES.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman White, from the Committee on Health, reported in favor of granting the petitions of H. W. Eames & Co., to build a stable for more than four horses on Berkeley and Providence streets, and of Howard Snelling & Co. to erect a stable at 521 Commercial street. Accepted.

Alderman White, from the Committee on Licences, reported in favor of licenses to Rich, Hart & Trowbridge to give musical performances at 171 Washington street, and to John Stetson, to give an entertainment at the Olympic Theatre. Severally accepted.

Also in favor of licenses to sundry persons as innholders, victuallers, and keepers of an intelligence offices. Accepted.

Alderman White, from the Committee on Licenses, to whom was recommitted the report for the regulation and government of carriages, &c., made a report in a new draft, as follows:

IN BOARD OF ALDERMEN, August 2, 1869.

Ordered, That, in addition to the present rules and orders for the government and regulation of carriages, the following rules and orders be adopted, until otherwise ordered:

Sect. 1. No owner, driver or other person having the care of any street car, chaise, carryall, hackney carriage, truck, cart, wagon, hand-cart, sleigh, sled, hand-sled, or other vehicle whatever, finished or unfinished, with or without a horse or horses or other animal or animals harnessed thereto, shall drive or place, or allow to be driven or placed, said vehicle, or the horse or horses or other animal or animals attached thereto, within ten feet of the vehicle in front of the same at any footpath or crossing in any of the streets or ways of this city; and such owner, driver or other person shall, when requested by any police officer, stop such vehicle at any place in the street for the purpose of allowing persons on foot to cross the street in safety. No person shall be allowed to drive, or have the care of, more than one vehicle in the streets or public places of the city; and every vehicle with a horse or horses or other animal or animals harnessed thereto shall be under the care of some competent person. Any person offending against either of the provisions of this section shall be liable to a fine of not less than five dollars nor more than twenty dollars for each offence.

Sect. 2. No owner, driver or other person having the care of any street-car, chaise, carryall, hackney carriage, truck, cart, wagon, hand-cart, sleigh, sled, hand-sled, or other vehicle, shall drive, or allow to be driven, the car or other vehicle, of which he has the care, against, or foul of, any person or vehicle, or anything whatever, in the streets of the city; nor shall he drive, or allow to be driven, the car or other vehicle of which he has the care, around the corner of any of the streets in this city with the horse or horses attached thereto travelling at a faster gait than a walk. Any person offending against either of the provisions of this section shall be liable to a fine of not less than five dollars nor more than twenty dollars for each offence.

IN BOARD OF ALDERMEN, August 2, 1869.

Ordered, That on and after the first day of August, 1869, and until otherwise ordered, no person or persons shall appear in any of the streets or public places in the City of Boston to play upon any hand-organ, hurdy-gurdy, tambourine, or other musical instrument, or beat upon a drum, or blow any horn or trumpet, without a permit from the Chief of Police, or Deputy Chief of Police; and any such permit may be revoked by the said chief, or his deputy, whenever either of them deems it expedient; and whoever appears in any of the streets or public places to play upon either of such instruments without such permit, shall be liable to a fine of not less than Two Dollars nor more than Twenty Dollars for each offence.

The report was considered.

Alderman Talbot called for the yeas and nays on the passage of the orders, expressing doubts as to their expediency.

Alderman Richards was of opinion that under the last order should one or two new members of a military band appear in the street on parade all of the members might be liable. He had hoped that by the recommitment the order would have been amended, and the order improved in that regard.

Alderman Baldwin asked for a division of the orders, that the question be taken on each separately.

Alderman Bradlee said he would raise the question which was raised by Alderman Talbot at the last meeting of the Board, that under the orders a boy could not pass through the streets with two dirt carts. This would prove to be a great hardship in many cases. This part of the order was not carefully drawn, and he should vote against it, and none of it had been drawn as carefully as it might have been. He should vote against it on that ground, while favorable to the general objects proposed to be gained by the order.

The question was taken on section one, which was passed by a vote of 6 to 5, as follows:

Yeas—Baldwin, Fairbanks, Hawes, Rice, Van Nostrand, White.

Nays—Bradlee, James, Rice, Seaver, Talbot.

Alderman Baldwin objected to the provision in section 2, relative to the speed of horses in driving round the corner of a street, for no gentleman in this Board or elsewhere could drive out in a carriage or light wagon without violating such a regulation.

Alderman Rice believed it to be a very good provision, for there was often danger to persons crossing the streets from the rapid driving round of corners.

This section was passed by a vote of 7 to 4, as follows:

Yeas—Bradlee, Fairbanks, Hawes, James, Rice, Van Nostrand, White.

Nays—Baldwin, Richards, Seaver, Talbot.

The last order, relating to street music, was passed, by a vote of six to five, as follows:

Yeas—Fairbanks, Hawes, Rice, Seaver, Van Nostrand, White.

Nays—Baldwin, Bradlee, James, Richards, Talbot.

Alderman James, from the Committee on Paving, to whom was referred the petition of several insurance offices and others, that Devonshire street be paved with wood between State and Milk streets, made a report, that during the next two years Devonshire street will in all probability be dug up to a considerable extent for the purpose of laying gas and water pipes and sewers for the accommodation of the buildings which during that time will be erected on said street, and for this reason they deem it inexpedient to put down an expensive wooden pavement on said street.

Read and accepted.

Alderman James reported inexpedient on the petition of Dunbar, Waters & Co. and others for the pavement of Franklin avenue with wood. Accepted.

Alderman Richards, from the Committee on Faneuil Hall, to whom was referred the petition of C. F. Harrington, Colonel, commanding 7th Regiment M. V. M., to be allowed the use of Faneuil Hall for his drum corps, made a report recommending that the petitioner be granted the use of the drill hall upon condition that no persons be admitted except members of the drum corps; that no smoking shall be allowed in the building, and that the Superintendent of Faneuil Hall shall be paid two dollars for each and every night this hall is occupied for this purpose. The report was accepted.

Alderman Richards, from the Joint Standing Committee on Public Buildings, made a report, that having completed the repairs which they were authorized to make upon the Eastern Avenue wharf, they found that the upper part of the wharf needs replanking, it being in an unsafe condition. As no provision was made in the original estimate for repairing this portion of the wharf, the Committee wish to be authorized to make the necessary repairs, and recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to replank the upper portion of the Eastern Avenue wharf, at an estimated cost of $4000, to be charged to the appropriation for public buildings.

The order was read twice and passed.

Alderman Richards, from the Committee on Public Buildings on the part of this Board, who were authorized to dispose of the lease of the rooms lately occupied by the License Commissioners, made a report that they find that the lease does not expire until the 1st day of July,

1871, and that by the terms of said lease the rooms cannot be underlet or used for any other purpose except as an office for the License Commissioners. The Committee conferred with the lessors of the room, and find that they are willing to cancel the lease upon payment of $1200, together with the amount of rent now due, and the committee recommend that they be authorized to cancel the lease upon these terms, and to dispose of the property now in the office, paying the proceeds thereof into the city treasury. They therefore recommend the passage of the following orders.

Ordered, That the Committee on Public Buildings on the part of this Board be authorized to pay Carpenter, Woodward & Morton the sum of $1200 in addition to the rent already due, in order to cancel the lease of premises Nos. 107 and 109 State street from said Carpenter, Woodward & Morton to the License Commissioners of this county, said amount to be charged to the appropriation for the county of Suffolk.

Ordered, That the Committee on Public Buildings on the part of this Board be authorized to dispose of the property in the office of the License Commissioners, and pay the proceeds thereof into the county treasury.

The orders were each read twice and passed.

Alderman Bradlee, from the Committee on Ordinances, reported an ordinance in amendment of the ordinance in relation to the Fire Department, comprising some changes of an unimportant character.

Alderman Bradlee said he did not wish to press the passage of the ordinance at this time, as the Council would not be in session at present. The ordinance was laid over.

ORDERS OF NOTICE.

On the expediency of amending the rules relating to quarantine, so as to provide that until Nov. 1 next, all vessels arriving in this harbor from the following ports shall stop at the quarantine station, viz.: "All vessels from any port in Europe, in the Western, Madeira, Canary or Cape de Verde islands, in the Mediterranean, or Straits thereof, from the west coast of Africa, or around the Cape of Good Hope, from the West India, Bahama or Bermuda islands, from any American ports south of the capes of Virginia, including Central and South America, and all vessels arriving from any place in the United States or British America where they may have touched or traded from any foreign port or place above named." Hearing Monday, August 16, 4 P. M.

On the proposed construction of a sewer in Bainbridge street. Hearing Monday, August 16, 4 P. M.

On the proposed construction of a sewer in Guild row. Hearing Monday, August 16, 4 P. M.

On the proposed laying out of a new street, forty-five feet wide, from the North American Steamship Company's wharf to Marginal street, as shown on a plan in the office of the City Surveyor. Hearing Monday, August 16, 4 P. M.

ORDERS PASSED.

On motion of Alderman Baldwin,

Ordered, That the Armory of Company C, Ninth regiment, M. V. M., at No. 1557 Washington street, be, and the same hereby is approved, as a suitable place for the deposit of arms, at an annual expense of $500.

Ordered, That until otherwise ordered, there be allowed and paid to Company B, Ninth Regiment M. V. M., for rent of Armory at No. 25 Eliot street, the sum of $450, said sum to be charged to the appropriation for armories.

Ordered, That the Committee on Armories be authorized to furnish a room in some suitable locality in the city of Boston to be used as the headquarters of the officers of the First Brigade M. V. M., at an annual rental not exceeding $300.

Ordered, That there be allowed and paid to Company E, Ninth Infantry, for May inspection and special duty, $150, to the bands of the First and Fifth Regiments $270, for bounty, as certified by the Adjutant-General, July 31, 1869, and that said sums be charged to militia bounty.

On motion of Alderman Talbot,

Ordered, That there be paid to F. O. Prince and others, trustees, the sum of $25,000 for land taken and damages occasioned by the widening of Devonshire street, under resolve of April 11, 1868, to be charged to the Devonshire street loan.

Ordered, That there be paid to Nancy Harlow and the heirs of Joshua Harlow the sum of $10,500 for land taken and damages occasioned by the widening of Tremont street, by a resolve of June 6, 1868, to be charged to the Tremont street loan.

Ordered, That there be paid to Benjamin S. Welles, Wm. Dehon, trustee, Stephen H. Perkins, guardian, owners, $26,169, and H. H. Leavitt, lessee, $4500—total, $30,669, for land taken and damages occasioned by the widening of Hanover street, by a resolve of December 31, 1868, the same to be charged to the Hanover street loan.

Ordered, That there be paid to the Old Colony & Newport Railway Company the sum of $23,387 65 for land taken and damages of every nature occasioned by the extension of Broadway, by a resolve of May 3, 1869, to be charged to the Broadway extension loan.

Ordered, That the estate of Dennis Collins, on Washington square, surrendered to the city, be taken for the purpose of grading said square, in accordance with the annexed description, the amount being 3133 square feet, more or less, the expense of taking amounting to $16,500.

Ordered, That the estate of Wm. Doran, on Hamilton street, surrendered to this city, be taken for the purpose of widening and grading said street, in accordance with the annexed description, the estate consisting of 2380 square feet, more or less, the expense of taking said estate amounting to $5800.

Ordered, That the safety and convenience of the inhabitants of the city require that Kendall street should be laid out as a public street, extending from Tremont street to Shawmut avenue, at no expense.

Ordered, That an apportionment be made into three parts of the betterment assessed upon the estate of Mrs. Elmira Rollins, Nos. 25 and 27 High street.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Friend street, and report the expense to this Board, pursuant to law.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Grove Hall avenue, Moreland and Perrin streets, and report the expense of the same to this Board.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Grenville street, and report the expense of the same to this Board, pursuant to law.

On motion of Alderman Richards,

Ordered, That the Committee on Public Buildings be authorized to enlarge the front door and construct a drain at Engine House No. 13, the expense thereof to be charged to the Appropriation for Public Buildings.

On motion of Alderman Janes,

Ordered, That the Superintendent of Streets be authorized to grade Copeland street, between Warren and Moreland streets, at an estimated cost of $3000.

On motion of Alderman White,

An order was passed for the abatement of a nuisance on the estates of sundry persons on Rockingham place, by defective drainage; of nuisances on estates on Snowhill and North Hudson streets, from the same cause; and on Hull street and Southac place, from water, dirt and filth.

Alderman Seaver offered the following order:

Ordered, That there be allowed and paid to Dwight Foster the sum of $750, being the amount of his bill rendered "to retainer hearings and argument before the Massachusetts Legislative Committee on the Metropolitan Police Question," said amount to be charged to the appropriation for police.

In explanation of the order, Alderman Seaver said that in the course of the investigation of the Committee of the Legislature on the subject of a Metropolitan Police, charges were made against the Chief of Police and two detectives. The police of Boston were attacked through them. They were advised to defend themselves, but the Committee could not defend them, and they employed counsel for their defence. They were honorably acquitted, and the question of payment of counsel came before the Committee, who did not feel authorized to aprove the bill. On consultation with the City Solicitor, he stated that the city was morally bound, but not legally, to pay the bill for the defence of these officers.

The order was passed.

Adjourned to Monday, August 16.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, AUGUST 6, 1869.

A special meeting of the Board was held at noon today, Mayor Shurtleff in the chair.

Alderman White stated the reasons that had impelled the Committee on Licenses to assume the responsibility of recalling the license granted to S. F. Towle, which were, in brief, the representations of persons living in the vicinity of 102 West Springfield street, that the exhibition in that house had become a nuisance, in the crowds gathering, &c., to the rest of the people living in that street.

Some discussion ensued as to the form of action to be taken by the Board of Aldermen. R. M. Morse, Jr., the counsel for Mr. Towle, was heard before the Board, and asked time to consult with his client. In the discussion which ensued, Aldermen Bradlee, Talbot, James, Pratt, Richards and Seaver participated.

Finally, it was voted, on motion of Alderman Seaver, that the license granted to Mr. Towle be hereby revoked by the Board.

The following order was likewise adopted in relation to the matter:

Ordered, That the action of the Committee on Licenses, August 3, in revoking and recalling, for reasons satisfactory to them, the license granted, on the 2d inst., to S. F. Towle, to exhibit certain pheuomena in house No. 102 West Springfield street, be and the same is hereby approved by this Board.

The Mayor read the following communication:

"*To His Honor the Mayor and the Honorable Board of Aldermen of the City of Boston.*

*Gentlemen:* You are hereby respectfully notified that I intend to cut down and remove all the trees standing upon my land in Washington street, in front of my new marble building between Worcester and Springfield streets, for the reason that they will cause permanent, continually increasing and irreparable damage to the said building to an amount exceeding $10,000 for each and every year they are suffered to remain.

I regret that it should be necessary to do this, but I trust that the preservation of the beauty of the face of the building, which I have endeavored to make an ornament to the city, will fully compensate the public for the loss of a few ordinary shade trees, already rendered unsightly by the removal of a large part of their limbs and foliage, in order to allow proper space for the process of construction and the apparatus used therein. I have the honor to be, Your obedient servant,

C. C. DREW.

The communication was referred to the Committee on the Common and Squares, to take such action as they may deem expedient in the premises. Adjourned.

## Proceedings of the Board of Aldermen, AUGUST 16, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at 4 o'clock, adjourned from August 2, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers without pay—Charles Greenfield and Patrick Falvey, for duty at the National Dock & Warehouse Company, East Boston; Atwood Berry and James Dixon, for duty at railroad bridge, Harrison avenue, during its building; Laban Sawyer, in place of E. C. Perry, Eastern Railroad Station, Causeway street; Michael Dugan, at new Lyman Schoolhouse.

PETITIONS PRESENTED AND REFERRED.

Trustees of estate of John Rayner, that the obstructions on Hanover street above Elm street be removed forthwith, &c.

Linus B. Comins, to be paid for grade damages on Shawmut avenue.

Joseph T. Ryan and others, that the gutters and sidewalks on Chadwick street be paved. Severally referred to the Committee on Paving.

D. D. Fiske and others, for leave to erect a stable for more than four horses on Second street, near B street. Referred to Committee on Health.

H. W. Suter and others, that South May street be laid out as a public highway.

Thomas Gogin and others, that Woodward street be laid out as a public highway.

Silas Potter and others, that a street be laid out from Woodville square to West Cottage street, at Dorchester line.

Severally referred to the Committee on Streets.

Michael Fitzpatrick, for remuneration for broken leg by slipping on an icy sidewalk in Fleet street. Referred to the Committee on Claims.

Thos. Blasland, for leave to remove two trees from sidewalk of Broadway, at D street. Referred to the Committee on Common and Squares.

James Berry and others, for removal of a nuisance on Kendall and Sawyer streets. Referred to the Committee on Health.

Theodore Mitchell and others, that the Haverhill street sewer be cleansed and repaired. Referred to the Committee on Sewers.

Horace G. Barrows, for removal of a wooden building now standing on the public lands on East Brookline street. Referred to the Committee on Public Lands.

NOTICES OF INTENTION TO BUILD.

M. C. Murphy, corner of Brown and Lexington streets; Thomas Mitchell, Telegraph street, between Gates and Old Harbor streets; Martin & Shepherd, High street, near Federal street; Hugh H. Rose, 610 Washington street; Jeremiah Lynch, Broadway, between A and B streets; A. C. Martin, Boylston street, between Berkeley and Clarendon streets; Calvin Swallow, Appleton street, between Berkeley and Clarendon streets; Joseph Graham, Edgerly place; Jacob Uriot, Northampton street; Ira B. Quimby, Haynes street; E. C Ayer, between West Newton and Pembroke streets; Hussey & Lowe, Federal street, south of Preble street; Timoth McCarty, 1517 Tremont street; Patrick Leach, Circuit street; Joseph Clear, Hampden street, near Eustis street; Dennis Sweeny and James Gaff, Tudor street, between B and C streets; Mary Ryan, rear of 141 Hudson street; Timothy Wilson, 132 and 134 Cambridge street; N. Adams, Albany street, between Plympton and Dedham streets; Barnard & Lancaster, No. 1 Dover street; George Hargrave, corner of Princeton and Putnam streets; Edward O'Connor, Gold street, between F and Dorchester streets; Edward Brogan, No. 115 Third street; Standish & Woodbury, corner of Elmwood street and Elmwood place, engine house for city; M. P. Bickford, 136 and 138 Cambridge street; N. Clark, 770 Washington street; Paul Knowles, Bennington street, between Central square and Marion street; B. F. Prescott, 10 Harvard street; H. A. Sharp, 324 Sumner street; Geo. Ross, Fourth street, between M and N streets; Stephenson & Emery, rear No. 6 North Russell street; A. J. Brown, Bainbridge street; Joel T. Watson, 31 Shawmut avenue; Arabella New, Third street, between N and O streets: Wilson & Drake, 19 and 21 Saratoga streets; C. E. Parsons, corner of Pitts street and Pitts street court; J. J. Giblin, 22 Broadway. Severally referred to the Committee on Streets.

DECLINATION OF LIQUOR AGENT.

The following communication was read:

"BOSTON, Aug. 14, 1869.

*To the Mayor and Aldermen of the City of Boston:*

I have received a notice from the City Clerk that I have been appointed a Liquor Agent for the city, under the recently enacted prohibitory law.

I believe this to be an injudicious law, and a great mistake. Each respectable and experienced druggist or apothecary should have full liberty to purchase medicines (and among those liquors hold an important place) from those importers and wholesale dealers in whose judgment and integrity he can place implicit confidence. By this system alone can the people be served with reliable medicines, and the integrity and respectability of the drug trade be preserved. To accept the appointment with the above views, would be to place myself in a false position, and I therefore decline the appointment. Thanking you for the manifestation of your confidence,

I am respectfully yours,

SOLOMON CARTER."

The communication was ordered to be placed on file.

The Mayor submitted the nomination of Prof. George F. H. Markoe as an agent for the sale of spirituous liquors to be used in the arts, or for medicinal, chemical and mechanical purposes, and for no other.

The nomination was confirmed.

REPORT OF CITY CLERK.

The report of the City Clerk for the quarter ending July 31, 1869, showed the receipts of fees in his office to be as follows:

| | |
|---|---|
| Recording mortgages of personal property, heirs, &c. | $506 23 |
| Licenses of billiard saloons | 433 00 |
| Licenses of auctioneers | 42 00 |
| Licenses of intelligence offices | 35 00 |
| | $1016 23 |

All of which amount has been paid into the City Treasury.

During the same period there was received for dog licenses the sum of $4850, which has also been paid to the City Treasurer, to the credit of the appropriation for Instructors of Grammar Schools.

Read and ordered to be sent down.

REPORT OF CITY REGISTRAR.

The report of the City Registrar stated that during the quarter ending July 31st, the receipts for the certificates of intentions of marriage were $485, which sum has been paid into the City Treasury.

Read and ordered to be sent down.

RAILROAD LOCATION.

A communication was received from the Boston & Albany Railroad Co., giving notice of a further location by taking an estate corner of Harrison avenue and Indiana street. Ordered to be placed on file.

AUDITOR'S MONTHLY EXHIBIT.

The monthly exhibit of the Auditor was presented, showing an exhibit of the General and Special Appropriations for the present financial year of 1869-70, as shown in the books in his office, August 1, 1869, including the August draft, being four months' payments of the financial year, exhibiting the original appropriations, the amount expended, and the balances of each unexpended at that date. A recapitulation of the expenditures gives the following result:

| Appropriations, | Revenues, etc. | Expended. | Unexpended. |
|---|---|---|---|
| General | $8,713,978 73 | $2,294,991 14 | $6,418,987 59 |
| Special | 4,823,320 81 | 1,123,580 87 | 3,699,739 94 |
| | $13,537,299 54 | $3,418,572 01 | $10,118,727 53 |

Read and ordered to be sent down.

HANOVER STREET WIDENING.

The hearing on the order of notice for the extension of the widening of Hanover street, from Blackstone street to Commercial street, was taken up.

John C. Park appeared for Patrick Canney, owner of estates between Salutation and Battery streets. It appeared, he said, almost a foregone conclusion that the proposed orders for widening would pass, yet Mr. Canney wished to say something on the subject. He objected to the manner of widening, and against widening at all. The Board of Aldermen was not the Board which ordered the former widening of Hanover street. Mr. Canney bought a portion of the estate after the former widening, and with the understanding that the line of widening had been established. Mr. Canney was for a long time subject to injury by the neglect to cut off estates adjoining him, and when it was done, after the betterment law took effect, he was required to pay a portion of the cost in betterment. He complains that a slice was cut off which injured him, and complained also that it was proposed to cut off another slice after it was understood the policy of widening had been settled, when the widening might be made on the other side of the street, to better advantage. Mr. Canney had on the estate a new building, which was of value to him in the occupation of first-class tenants. In the cutting off of this building of brick, on the lower corner of Hanover and Salutation streets, the depth on one line would be but eight feet seven inches, which would of course ruin it.

The statement that the building was of brick was questioned by Alderman Pratt, and by several witnesses who were present. The statement was reiterated and doubted, and the plans in the office of the Surveyor were sent for in the settlement of the question, the plans indicating the building to be of wood.

Mr. Park resumed, claiming that he was right, but whether or not he was correct, he repeated that the estate would be ruined by cutting it off. On the other estate, there would not be so much injury caused by the cutting off, and less objection was made to it on that account.

Alderman Pratt moved that the report be recommitted, and that the Committee be instructed to report orders and a resolve for the further widening of Hanover street, in accordance with the proposed plans of widening.

Maurice O'Connell, as the owner of one of the estates to be affected, said he agreed with Mr. Park that the matter was a foregone conclusion, and that he was of opinion that a widening of the street should take place. To his knowledge, the line of widening was determined during the administration of Mr. Wightman, and the owners of estates felt aggrieved that the work was not carried out at the time, as contemplated. The only question in relation to widening was where the widening should take place, or on which side of the street it should be, and in his view the straightening of the street required cutting off the other side as well as on the side proposed.

Calvin Hosmer concurred with Mr. O'Connell in relation to cutting off from each side as the measure most expedient.

Alderman Talbot stated that as the line of widening, so far, was entirely on the right hand side, the further widening must commence at that line on Blackstone street. It must be evident that to cross the street for the purpose of widening on the other side, it would require the cutting off of the fronts on each side, and the destruction of one-half more property than is now contemplated. For this reason the Committee reported in favor of the widening on one side only, as the least expensive.

Mr. Park inquired whether the Board had seen the buildings on both sides of the street.

Alderman Talbot replied that the plans were made a year ago, and the members of the Board were perfectly familiar with them.

To a further question of Mr. Park, he said he did not know whether all of the members had personally seen the buildings.

Alderman Pratt stated that the Board of last year went to visit the premises, and many and probably all of the present Board had seen them.

The motion of Alderman Pratt to recommit, with instructions, was carried.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the petition of the Boston & Albany Railroad Co., for an estimate of damages caused by taking land of Luther Parks, on Utica street, for depot purposes, was taken up.

James B. Thayer appeared in behalf of Mr. Parks and of tenants of the property. Mr. Thayer said he appeared because the parties were cited to appear, and they did so not waiving any of their rights which may hereafter be involved. The act of taking the land, he said, was under a very sweeping act of the Legislature, giving power to take land anywhere between Boston and Worcester, for tracks or depot purposes. An attempt was made some years since to purchase the land, but Mr. Parks would not sell it.

In one sense, it was said, the corporation was the agent of the Commonwealth in taking land needed for public purposes. Where land was taken in this way it should not be without full and fair compensation. It was an act of great hardship, for in view of the inevitable growth of the city, the land was purchased as an investment, which could not so easily be made elsewhere. So far as the value might be estimated, he contended it was not the mere assessable value, which was not the true test, but its value as an investment in the prospective increase, of which he would be cut off. There was no property more sure to rise than this, and it would not be questioned that every man was entitled to the full value of his property.

Mr. Thayer called witnesses to show the value of land in that vicinity, after making certain statements that $5 had been offered for the land, and that it had been estimated as worth $7 per foot.

Edmund T. Talbot, a builder, said he was acquainted with the property in question, and had heard prices of lots which had been sold in the vicinity. He judged that the value of the land was at least $7 a foot.

In reply to Geo. S. Hale, counsel for the corporation, he said the buildings were of no particular

value, the value of the land being in its advantages for storage.

Rodney Presbey, a tenant, said he occupied the property as a stable; had a knowledge of the value of the land, and had proposed two or three months ago to give $5 a foot for it; the bargain was broken off on account of the movements of the railroad corporation; he made this offer in the expectation of getting $7 for it.

In reply to Mr. Hale, he said he had made no attempt to purchase any other property; he had a lease of five years from 1st January, 1868, for half the property, at $400 a year.

To Mr. Thayer, he replied that he considered the lease worth $1200 a year. On looking for another place he could not find as good a place short of that sum.

Mr. Hale stated that at $7 per foot, at 7 per cent. interest, the amount would be from $2800 to $3000 a year, and he wished to know whether Mr. Presbrey would, under such a statement, be willing to estimate the value of the land at $7 per foot.

Mr. Presbey said he did not know that he should have any occasion to change his statement of value.

Alderman Talbot raised the question whether the parties would be willing to abide by the decision of the Board of Aldermen, as to the value of the land. Otherwise he thought it would be useless to continue the hearing at great length. The usual course was for the Board to adjudge a nominal value, and let the parties settle the matter in the best way they could.

Mr. Hale said he was willing to go into a full hearing, and take the decision as final, or it preferred to accept a nominal award.

Mr. Thayer said he was nearly through with the testimony on his side, and thought it would be well to hear the testimony on the other side. He was not prepared to accept the award as final, but hoped the Board would give a bona fide award He thought it would be much shorter to go on, at this time, than to postpone the matter. As further evidence he would put in certain papers, one of them showing that in a recent purchase by this corporation on South street, $6 per foot was paid.

Mr. Hale suggested that there was a building on the lot; to which it was replied that the corporation was taking it down.

Alderman Bradlee was of opinion that it would be a waste of time of the Board to continue the hearing, if the award was not to be taken as final. He was willing to give his time if the award was to be accepted, but did not wish to do so if the parties were to go to law. He moved to postpone to another meeting if it was likely an agreement could be made.

Mr. Thayer said there was little probability of an agreement being made.

Alderman Bradlee said he was glad that the facts were coming out, and that the Board was likely to know something of what would be the result of the hearing, that it would be mere playing upon their time.

Mr. Thayer denied that there was any occasion for the remark just made, and he objected to such language of an intimation of playing upon the Board of Aldermen. He had said there was no probability of an agreement, and in one contingency they would not waive the rights which they possessed.

Alderman Bradlee replied that after the remarks made by him, the statement of the counsel was much more full, with an expression of doubts as to the acceptance of the award of the Board. As to any criticisms or objections to his language, he was not amenable therefor to the gentleman.

On motion of Alderman Richards, the further hearing was postponed two weeks.

The hearings on the several orders of notice, on the proposed laying out of a new street leading to the British and North American Steamship wharf; the proposed construction of a sewer in Bainbridge street; and on the construction of a sewer in Guild row, were taken up. No person appearing in either case, the reports were recommitted.

The hearing on the proposed amendments of the quarantine rules was taken up. No person appeared in opposition, when the proposed amendments were passed; requiring the stoppage at quarantine until November next, as follows:

"All vessels from any port in Europe, in the Western, Madeira, Canary or Cape de Verde Islands, in the Mediterranean, or straits thereof, from the west coast of Africa, or around the Cape of Good Hope, from the West India, Bahama or Bermuda Islands, from any American ports south of the capes of Virginia, including Central and South America, and all vessels arriving from any place in the United States or British America where they may have touched or traded from any foreign port or place above named."

Sundry orders for assessments for sewers on Harrison avenue, amounting to $1619 52; on Warren avenue, $966 45; on Winthrop street, $990 46; Cedar and Highland streets, $5301 35; and on Ward street, $980 38, were referred to the Committee on Sewers.

UNFINISHED BUSINESS.

The ordinance to amend an ordinance in relation to the Fire Department was read a second time, and passed, as follows:

AN ORDINANCE

*To Amend an Ordinance in Relation to the Fire Department.*

Be it ordained by the Aldermen and Common Council of the City of Boston, in City Council assembled, as follows:

Section 1. The ordinance in relation to the Fire Department, printed in the edition of Laws and Ordinances of the year 1863, is hereby amended by striking out the word "city" in the second line of the sixth section, and inserting in place thereof the words "section of the city in which they are assigned for duty;" also, by adding after the words "Chief Engineer," in the eighteenth line of said section, the words "at the regular monthly meeting of the Board;" also, by inserting after the word "deposited," in the fourth line of the twelfth section, the words "and report, at the regular monthly meeting of the Board, the condition of the district to which they are assigned;" also, by striking out the word "quarterly," in the second line of the twenty-fifth section, and inserting in place thereof the word "monthly;" also, by striking out the word "quarter," in the fourth line of said section, and inserting in place thereof the word "month;" also, by striking out, in the fourth line of the thirty-eighth section, the word "member," and inserting in place thereof the words "or more members;" also, by striking out, in the third line of the thirty-ninth section, the word "city," and inserting in place thereof the words "section of the city in which they are assigned for duty;" also, by striking out, in the fourth line of the forty-sixth section the, words "twenty-five cents," and inserting in place thereof the words "one dollar."

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of the transfer of certain wagon licenses, of the granting of new wagon licenses, and of licenses for intelligence offices, and of dealers in second-hand articles. Severally accepted.

Alderman Seaver, from the Committee on the Market, reported in favor of the transfer of a lease of stall No. 7 Faneuil Hall Market. Accepted.

Alderman James, from the Committee on Paving, on the petition of C. J. Bishop for removal of buildings in St. James park, reported reference to the Committee on the proposed purchase of the Coliseum building. Accepted.

CONDITION OF PUBLIC INSTITUTIONS.

Alderman James, from the Committee of the Board of Aldermen who were appointed to inspect the prisons and houses of detention within the county of Suffolk, and make the examinations and reports required by the statute of the Commonwealth, submitted the following report:

On the 25th June, 1869, the committee made an inspection of the several institutions at Deer Island. The number of inmates at that time was as follows:

*Alms House.* Males, 143; females, 75. Total, 218.

*House of Industry.* Males, 165; females, 232; children of sentenced parents, 14. Total, 411.

*House of Reformation.* Boys, 255; girls, 43; total, 298.

Making the total number confined in the several institutions, 927.

On the 27th May, 1869, the committee visited the House of Correction at South Boston. The total number of prisoners was—males, 331; females, 142; total 473.

On the same day the committee visited the Lunatic Hospital, which contained 203 patients—111 males, 92 females. The Superintendent stated that the general health of the inmates had been good, owing to the careful and systematic measures pursued to ventilate the wards, keep the atmosphere dry, and occupy and amuse the patients. The ne-

cessity for additional accommodations, to which the attention of the City Council has been called heretofore, is growing more imperative, as the city increases in size.

On the 18th July, 1869, the committee made an inspection of the jail. The number of persons confined at that time was 152. The number committed during the year ending July 19 was 4318. No deaths have occurred during that time, and the general health of the prisoners has been good. The sheriff respectfully calls the attention of the Board to the propriety of fitting one of the wings for exclusive occupation for female prisoners, in order to relieve them from general observation.

The reports of the sheriff and superintendents of the several institutions visited by the committee were appended hereto.

The communication of Dr. Walker, Superintendent of the Hospital, after giving the number of patients, and so much as is quoted by the committee, is as follows:

The male wards are now crowded, almost beyond endurance, and the female wards are rapidly getting into the same condition. Several dangerous collisions between the patients, unavoidably sleeping in the same room, have already occurred, and we cannot see how the Superintendent or the Directors can be held responsible for any fatal accident. Upon the City Government must rest the entire blame. The demand for additional proper accommodation is greater than in any other department, and ought not longer to be neglected. We commend this matter to the immediate, earnest attention of the City Council.

The report was laid on the table, and ordered to be printed.

EXTENSION OF WASHINGTON STREET.

The Committee on Laying Out and Widening Streets submitted the following estimate of the approximate cost of extending Washington street from Cornhill through Portland street to Causeway street:

| | |
|---|---|
| From Cornhill to Sudbury street..... | $890,000 |
| From Sudbury street to Causeway..... | 210,000 |
| | $1,100,000 |

Distance from Cornhill, 2225 feet to Causeway street.

Betterments on the line of street, twice the amount by this route over the Haymarket square route.

The same committee submitted the following estimate of the approximate cost of extending Washington street from Cornhill to Haymarket square as follows:

| | |
|---|---|
| From Cornhill to Haymarket square..... | $1,025,000 |
| Extension of Portland street into Washington street..... | 150,000 |
| | $1,175,000 |

Distance from Cornhill to Haymarket square, 1025 feet.

Betterments, one-half of the amount by the Portland street route.

Alderman Talbot stated that the estimate of the two plans of extension would not vary much, and that the cost would not probably differ $100,000 from these estimates. It would be seen that on the plan of extension to Causeway street, the distance would be twice as far as to Haymarket square, with a sixty feet street. There was something to be said in favor of either route. The Committee had not decided what action should be taken.

Alderman Baldwin said he had made up his mind as to which route was the most expedient. He did not, however, know the minds of others, and as two members of the Board were absent, he moved to lay the reports on the table.

The Mayor suggested that the reports might be accepted, as committing the Board to no action, and the subject laid on the table.

Alderman Talbot was of opinion that the reports should be laid on the table, and the whole subject would be before the Board for consideration, when they should be taken up again.

Alderman Baldwin modified his motion, to lay the reports on the table for consideration two weeks hence. Carried.

ORDERS OF NOTICE.

On the petition of S. A. Way, for leave to erect a stable for more than four horses on Lyman street, and of A. A. Hall, for leave to erect a stable on Piedmont street for more than four horses. Hearing Monday, August 30, 4 P. M.

On the proposed assessment of betterments on estates in the widening of Devonshire street. Hearing Monday, August 30, 4 P. M.

On the proposed laying of drains on Fort Hill under the act of the last Legislature, and the reduction of grades on the estates on Fort Hill. Hearing Monday, August 30, 4 P. M.

ORDERS PASSED.

On motion of Alderman White, the usual order for abatement of nuisances was passed, in nuisances on Hayward place, Brimmer and South streets, Linwood place and Saxon court, from defective drainage.

An order was passed for collection of assessments for abatement of nuisance on Napier place, amounting to $63 65.

On motion of Alderman Talbot, notices to quit were ordered to be served upon Wm. T. Andrews, trustee, on Hamilton street; Frederick Clapp, heirs of Wm. Foster, heirs of James Allen, heirs of Nathaniel Brewer, Jonathan Lane, and Mary Ann Sullivan, on Purchase street; Nathaniel Whiting, heirs of Sarah Holmes, and Miss Adaline M. Whiting, on Sturgis street; heirs of John P. Monks, Cornelius Sullivan, K. Callaghan, Wm. G. Cole, heirs of James Twiss, heirs of James Allen, heirs of Nathaniel Brewer, heirs of Wm. Foster, Wm. Rhodes and John Foster, on Washington avenue, severally to quit and vacate their premises on or before 13th September next.

On motion of Alderman Talbot,

Ordered, That the safety and convenience of the city requires that a street forty-five feet in width be laid out from Marginal street, East Boston, to the wharf of the Boston & North American Royal Steam Packet Company, and that it is necessary to take a parcel of land of the Boston & Albany Railroad Company at no expense, the amount of land taken being 22,250 feet.

Alderman Talbot stated that no name was given to this street, which could be done hereafter. It was thought it should be Cunard street, although that name was used for a short street in the Highlands, and that some arrangement would be made by which the name could be given to this street.

On motion of Alderman James,

Ordered, That there be paid to Charles H. Bacon the sum of $5800, in full compensation for all damages done to his estate on the corner of Tremont and Eliot streets, by the raising of the grades of said streets, upon his proving his title to said estate to the satisfaction of the City Solicitor, and upon his giving to the city an acquittance and discharge for all damages, costs and expenses to him and to those holding leases in said estate under him, on account of the raising of the grades of said Tremont and Eliot streets, the same to be charged to the Tremont street loan

On motion of Alderman Seaver.

Ordered, That the Committee on Bridges be authorized to expend a sum not exceeding $600, in the construction of a bulkhead for Albany street bridge, "No. 2," which crosses the Roxbury canal, and that said amount be charged to the appropriation for bridges.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Streets be directed to construct a common sewer in Guild row, and report a schedule of the expense thereof to this Board, pursuant to law.

On motion of Alderman Talbot,

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized in settling the damages for widening Shawmut street, to contract with George Paul and George Abbott for moving back their houses at the expense of the city, and that the expense of the same be charged to the appropriation for laying out and widening streets.

Ordered, That there be paid to the heirs of Gardner Greenleaf the sum of $4899 50 for land taken and damages of every nature, including grade damages, occasioned by the laying out and grading of Hartford street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement loan.

Ordered, That there be paid to Eben B. Phillips and Isaac Rich $1388 for land taken and damages occasioned by the widening of High street, by a resolve of Nov. 17, 1868.

Ordered, That there be paid to the Boston & Albany Railroad Co. the sum of $55,824 20 for land taken and damages occasioned by the extension of Broadway, by a resolve of May 3, 1869, to be charged to the Broadway Extension Loan.

Adjourned to Monday next, 4 o'clock P. M.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## AUGUST 23, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

APPOINTMENT MADE AND CONFIRMED.

Robert F. Means, as Inspector of petroleum earth, rock oil, and their products, under Chapter 152 of the acts of the Legislature of 1869.

PETITIONS PRESENTED AND REFERRED.

Boston Lead Co. and others, that Swett street be extended over South Bay to Ward Twelve.

Hiram Emery and others, for extension of Swett street across South Bay.

P. J. Hughes and others, that Newland street, from Canton street to Dedham street, be laid out.

Severally referred to the Committee on Streets.

Isaac P. Palmer, and others, for gutters and edge stones, on F street, between Fifth and Eight streets.

Joseph B. Emerson and others, that gutters be paved and sidewalks be laid in certain portions of E, Seventh and Eighth streets.

Tremont National Bank and others, that State street be paved with Nicolson wood pavement.

Severally referred to the Committee on Paving.

Ann Tooley, for a fruit stand on Washington street, near School street. Referred to Committee on Licenses.

Francis J. Ward and others for a sewer in Parker street, northeast of Tremont street. Referred to the Committee on Sewers.

NOTICES OF INTENTION TO BUILD.

J. V. N. Stubbs, Dale street, corner of Rockland; Ira Litchfield, 32 and 34 Irving street; Jeremiah Harrington, Second street, between A and B streets; Hugh W. Brown, Dix place; Bell & Bailey, 36 Ruggles street; Louis Earle, Kendall street; Elijah Mills, Federal street, near Preble street; Geo. F. Meacham, corner of Tremont and Dwight streets; Ware & Van Brunt, corner of Commonwealth avenue and Dartmouth street; Geo. Hargrave, corner of Lexington and Marion streets; J. F. Baker, Munroe street; Beatty & Milmore, Kendall street; Edward Taylor, 170 Pynchon street; C. K. Kirby, State and Devonshire streets.

Severally referred to the Committee on Streets.

UNFINISHED BUSINESS.

The proposed amendments to the quarantine rules were taken up and passed.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of the transfer of certain hack licenses; also a license for keeping an intelligence office. Severally accepted.

Alderman White also reported in favor of a license to Rich, Hart & Trowbridge to give exhibitions at the Howard Athenæum, and a license for French's Oriental Circus Company to give exhibitions from September 1 to September 12. Severally accepted.

Alderman Hawes, from the Committee on Steam Engines, reported in favor of the petition of Geo. B. Harrington for leave to place a steam engine and boiler in the building corner of Green and Pits streets. Accepted.

Alderman Fairbanks, from the Committee on Sewers, reported leave to withdraw on the petition of Sarah Scott for an abatement of sewer assessment, and no action necessary on the petition of Theodore Mitchell, and others, that the Haverhill street sewer be cleansed and repaired. Severally accepted.

Alderman Fairbanks also reported that the several schedules of assessments for sewers referred to the committee should pass, with orders for the collection of the same, which were passed, amounting in the aggregate as follows: Harrison avenue, $1619 52; Cedar and Highland streets, $5601 35; Ward street, $980 38; Warren avenue, $906 45; Winthrop street, $980 46.

Alderman James, from the Committee on Paving, to whom was recommitted the petition of the Metropolitan Railroad Co. for a location in Harrison avenue, between Dover and Eustis streets, reported the following order of location, which was read twice and passed:

Ordered: In addition to the rights heretofore granted to the Metropolitan Railroad Company to lay down tracks in several of the streets of the city of Boston, said company shall have the right to lay down a double track on Harrison avenue, between Dover and Eustis streets, with curved tracks to connect with the tracks now laid down on Harrison avenue, Dover and Eustis streets. Also, a curved track to connect the track on Dover street with the track on Washington street north of Dover street.

The right to lay down the tracks located by this order is upon the condition that the whole work of laying down the tracks, the precise location of the same, and the form of rail to be used, shall be under the direction, and to the satisfaction, of the Committee on Paving and the Superintendent of Streets, and shall be approved by them.

Also, upon the condition that the space between the rails and three feet on each side thereof shall be paved with wooden pavement, or granite blocks of such size and quality as the Superintendent of Streets shall direct.

Also, upon the condition that the said Metropolitan Railroad Company shall accept this order of location, and agree in writing to comply with the conditions therein contained, and file said acceptance and agreement with the City Clerk within twenty days of the date of its passage, otherwise it shall be null and void.

Alderman James, from the Committee on Paving, reported to the Board of Aldermen that in 1849 a system of grades was established by the City Government for the streets of East Boston. In the district lying between Porter and Prescott streets, southeasterly of Saratoga street, the grades were established too low to allow for the drainage of the buildings which may hereafter be erected thereon. By an order passed by this Board, May 10, 1869, the abutters on that part of Chelsea street included in this district were notified to furnish edgestones and lay their sidewalks with brick, and the Superintendent of Streets was charged with the execution of this order.

The committee are of the opinion that before this work is done, the street should be raised to a proper grade, otherwise the city will at a future day be compelled at a great expense to raise not only the street but also the buildings which in the meantime may be erected.

The committee therefore recommend the passage of the following orders, which were read twice and passed:

Ordered, That the grade of Chelsea street, between Porter and Saratoga streets, be established at a height of eighteen feet above mean low water.

Ordered, That the Superintendent of Streets be directed to raise and grade Chelsea street, between Porter and Prescott streets, to a grade of eighteen feet above low water, at an estimated cost of $18,000.

Alderman Richards, from the Joint Standing Committee on Public Buildings, to whom was referred the unfinished business of last year, the papers relating to the Discharged Soldiers' Home, made a report that in their opinion the building on Springfield street, known as the Discharged Soldiers' Home, is no longer needed by its present occupants, and that it should be transferred to the Directors of the Home for Aged Men, as provided for in City Document No. 121 of 1866. They would therefore respectfully recommend the passage of the following resolution and order:

Whereas, in the opinion of the City Council the building owned by the city on West Springfield street is no longer needed for the purpose of a Home for Discharged Soldiers, and should be conveyed to the Directors of the Home for Aged Men, in accordance with the vote of the City Council passed December 31, 1866; it is, therefore, hereby

Ordered, That on the 20th day of September, 1869, his Honor the Mayor be authorized to convey to the Home for Aged Men the building on West Springfield street, owned by the city, and the land and appurtenances belonging thereto, subject to the conditions of the order passed December 31, 1866.

Alderman Richards stated that the committee had given considerable attention to the subject, but in order that the members of the Board

might fully consider the matter, he would move that the subject be laid on the table.

The Mayor said the order would lie over under the rule, and that disposition was made of the subject.

Alderman Richards, from the same committee, to whom was referred, among the unfinished business of last year, the subject of an elevator for the City Hall, made a report, that, in addition to the proposal from Gilman Joslin, Esq., printed in City Document No. 94, of 1868, they have received a proposal from Otis Tufts, Esq., offering to furnish and put in complete operation one of his patent safety elevators, together with a pair of his most recently improved reversible steam-engines, for the sum of $12,500. His proposal includes a car which will accommodate from twelve to fifteen persons, and which will run from the lower to the upper stories of the building in less than one minute's time. He also proposes to run the elevator for three months after its completion, coal excepted, and warrant its performance to be as perfect as any apparatus used for a like purpose.

Your committee have also received a proposal from Edward H. Ashcroft, Esq., offering to furnish one of his patent elevators, including foundation, engine and boiler, for the sum of $10,500.

After carefully considering the subject, the Committee beg leave to submit the following order:

Ordered, That the Committee on Public Buildings be authorized to contract with Otis Tufts for the introduction of his Elevator into the City Hall, at an expense not exceeding $12,500, said sum to be transferred for that purpose from the reserved fund.

The order was read once and laid over.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intentions to build. Accepted.

ORDERS OF NOTICE.

Orders of notice were passed as follows:

On the proposed construction of a sewer in Princeton street, between Prescott street and Eagle square. Hearing Monday, August 30, 4 P. M.

On the petition of D. D. Fisk and others, for leave to erect a stable for more than four horses, on Second street, near D street. Hearing Monday, August 30, 4 P. M.

ORDERS PASSED.

The jail requisition, amounting to $1889 19 for the month, was approved.

On motion of Alderman White, the usual order for abatement of nuisances was passed, including nuisances on Havre, Webster and Porter streets, from various causes.

On motion of Alderman James,

Ordered, That the Superintendent of Streets be authorized to pave Tremont street between Camden and Cabot streets with small granite blocks, at an estimated cost of $28,000.

Ordered, That the Superintendent of Streets be directed to pave D street in front of the Norcross schoolhouse, between Gold and Fifth streets, with the McGonagle wood pavement, instead of round stone as authorized by the Board of Aldermen July 26, 1869.

Ordered, That the Chief of Police be and he is hereby directed to notify the owners and abutters on the easterly side of Hanover street, between Court and Elm streets, to remove within seven days the stones, bricks, lumber and other obstructions in front of their several estates on said Hanover street, and in default thereof the Superintendent of Streets is hereby authorized and directed to cause said obstructions to be removed at the expense of the owners thereof.

Ordered, That notice be and hereby is given to the Metropolitan Railroad Company, that in the opinion of this Board, the safety and convenience of the public require that Tremont street should be paved between Camden and Cabot streets with small granite blocks, and that said company be directed to pave the space between their rails and three feet outside thereof on said street with small granite blocks; said work to be done at such time as the Superintendent of Streets shall direct, and to his satisfaction.

On motion of Alderman Richards,

Ordered, That in the settlement of damages with the Boston & Providence Railroad Company for the extension of Columbus avenue from Ferdinand street to Church street, and for the widening of Tennyson street, the Joint Standing Committee on the Church Street District be and they hereby are authorized to make an agreement with the said corporation that the city will assume and pay any betterment which may hereafter be assessed upon land of the said corporation, in consequence of the said extension of Columbus avenue from Ferdinand street to Church street, by a resolve approved October 9, 1868.

In explanation of the above, Alderman Richards stated that in the negotiations with the Boston & Providence Railroad Company an agreement made was in accordance with the above conditions between the corporation and the Committee on the Church Street District. It required the action of the Board to render the agreement valid.

On motion of Alderman Richards,

Ordered, that the sum of $900 be and hereby is appropriated for the repair of Steam Fire Engine No. 3, and Hose Carriage No. 3, under the direction of the Committee on Fire Department, the same to be charged to the appropriation for the Fire Department.

On motion of Alderman Talbot,

Ordered, That there be paid to the heirs of Edward Reynolds (Wm. T. Andrews, trustee) $14,214, for land taken and damages occasioned, including grade damages, by the widening and grading of Hamilton street, and by the grading of Washington square, under resolve of July 23, 1869, the same to be charged to the Fort Hill improvement loan.

Ordered, That there be paid to the heirs of Nathaniel Brewer the sum of $7224 97 for land taken and damages occasioned, including grade damages, by the widening and grading of Purchase street and Washington avenue, under resolve of July 23, 1869, the same to be charged to the Fort Hill improvement loan

Ordered, That there be paid to Charles L. Flint the sum of $3815 for land taken and damages, including grade damages, occasioned by the laying out and grading of Hartford street, under resolve of July 23, 1869, the same to be charged to the Fort Hill Improvement loan.

Alderman Talbot offered the following, which was passed:

Whereas, the order passed by this Board, August 2, 1869, taking the estate belonging to Wm. Doran, on the westerly side of Hamilton street, and numbered 13 and 15 on said street, supposed to have been surrendered to the city by the said Doran; and whereas, it appears that the estate so taken was not the estate surrendered by the said Doran, but that it was the estate belonging to him on the easterly side, and numbered 22 on said Hamilton street, that was surrendered; it is hereby

Ordered, That the order passed by this Board, August 2, 1869, taking the estate numbered 13 and 15 on Hamilton street, belonging to Wm. Doran, be and the same hereby is rescinded.

On motion of Alderman Talbot,

*Resolved*, That the safety and convenience of the city require that Harrison avenue should be widened near Eustis street, by taking a parcel of land belonging to Rosanna Gaven, containing thirty-two square feet, at an expense of $40.

On motion of Alderman White,

*Resolved*, That in the opinion of the City Council it is expedient to widen Eliot street, under the betterment law, from Washington street to Pleasant street, to fifty feet, during the present municipal year.

On motion of Alderman Fairbanks,

Ordered, That the expense of constructing sewers in Commercial and India streets, in the street east of the Custom House, and on the north side of Central wharf, be charged to the appropriation for Atlantic avenue.

On motion of Alderman Bradlee,

Ordered, That until otherwise ordered, the compensation of the Inspector appointed under the the authority of Chapter 152 of the acts of 1869, to inspect petroleum, earth, rock oil and any of their products, shall be as follows:

For every inspection of a sample of oil, or for a lot of ten barrels, or less, he shall be paid the sum o fifty cents; for every lot of more than ten barrels he shall be paid five cents for each barrel inspected, after the barrel has been placed in position and the bung removed.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## AUGUST 30, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

John F. Gardiner and Eben T. Hitchcock, to be sergeants of police.

Special Police Officers, without pay—Wm. H. Stone, for duty at the United States Court House; David Hoyt, for duty at the Boston Sugar Refinery.

Members of Fire Department—Thomas Young, Engine No. 6; S. F. Merrill, Engine No. 11.

PETITIONS PRESENTED AND REFERRED.

East Boston Ferry Company, that the tolls on said Ferry be raised, agreeably to the recent order of the Supreme Court. Referred to the Committee on Ferries.

Catharine Cosgrove, to be compensated for injuries by falling into a coal hole on Merrimac street. Referred to the Committee on Claims.

Mary B. Randall, for abatement of taxes assessed in 1868. Referred to Joint Committee on Assessors' Department.

John and Jeremiah Ryan, that a sewer be laid in Sixth street, from C to D streets.

James Y. Grendell and others, that the Sixth street sewer be extended to M and L streets.

Severally referred to the Committee on Sewers.

Norcross School Committee, that Fifth street, near D street, be paved with wood.

Eben Cutler and others that Kneeland street, between Federal and Cove streets, be paved with square blocks.

A. Garcelon, to be paid for damages occasioned by change of grade in Brimmer street.

D. H. Blaney, that the new street on the steamship wharf be called Clyde street, and be paved.

Jonathan W. Glines and others, that Myrtle street be repaved west of Joy street.

David H. Blaney, that a portion of Maverick square be repaved.

Gardner Warren, to be heard in relation to the paving of streets with wood.

Severally referred to the Committee on Paving.

On motion of Alderman Rice, Mr. Warren was allowed a hearing before the Board. He was understood to say that wood pavements had failed heretofore mainly in consequence of a want of proper foundation for such pavements. Statements were made in relation to the several kinds of wood pavement. Wood prepared by chloride of mercury had proved to be successful, and wood prepared by chloride of zinc, when properly applied, had been tested in the most satisfactory manner. This kind of pavement he proposed to put down in the streets at a cost of $3 50 per square yard, making the earth hard for a foundation by puddling. This style of pavement he thought could be kept in repair at a small expense.

NOTICES OF INTENTION TO BUILD.

Peleg W. Chandler, west side of Devonshire street, near State street; E. Downing, 230 Princeton street; Patrick McFeeley, No. 11 Endicott court; W. A. Ham, 74 Canal street; H. H. Rose, 17 Lincoln street; Wm. Peard, Fourth street, between B and C streets; James Devine, corner of Cabot and Hammond streets; M. P. Bickford, corner of Hanover and Tileston streets; R. Presby & Co., Sixth street, between B and C streets; Harding & Neily, 16 and 18 Fayette street; Robert Moore, 58 and 60 Endicott street; Robert Wright, corner of Liverpool and Decatur streets; J. B. Carpenter, 166 Ninth street, between E and Lark streets; James W. Cooper, 96 Marginal street; D. W. Beckler, I street, between Seventh and Eighth streets; S. J. F. Thayer, corner of Causeway and Canal streets, and 8 Avon place; B. Royce, corner of Carver and Eliot streets; Wm. Waters & Son Bennington, between Marion and Brooks streets' Severally referred to the Committee on Streets.

DECLINATION OF CITY LIQUOR AGENT.

The following communication was read:

"292 WASHINGTON STREET,
BOSTON, Aug. 30, 1869.

*To the Mayor and Aldermen of the City of Boston:*

I have been notified by the City Clerk that I have been appointed and confirmed as a Liquor Agent of the city of Boston. As the appointment is a mark of confidence on the part of the Mayor and Aldermen of this city in my ability to discharge the duties of a public office, I thank them for it, but I must decline the intended honor, because I see no opportunity of being useful to the public, of adding to my reputation, or of making the office in any way profitable to myself.

As a pharmacist, it is my duty and my practice to use all my knowledge of chemistry and *Materia Medica* in the selection of drugs and chemicals, never trusting entirely to the statements of others as to purity and quality of medicinal agents. What is true of drugs is equally true of liquors, for they are quite as important and as extensively used in medicine.

Under the present law the pharmacist who accepts the position of City Liquor Agent must surrender all right to an opinion of his own; he must keep and dispense only such liquors as the State Liquor Agent may deem it fit to furnish, the only surety being the State Assayer's certificate of their purity and quality. If such certificates are not more reliable than those appended to poisonous "Hair Restorers" and quack nostrums, I should be very reluctant to place any confidence in them.

The law fines the druggist $1000 for selling alcohol for useful purposes, while the man who keeps an open bar-room is fined a much less amount for selling liquors as intoxicating agents. This distinction is over-complimentary to the druggist.

I much prefer the study and practice of legitimate pharmacy to the business of City Liquor Agent, even if the office was such that I could conscientiously discharge its duties. Therefore I must decline any connection with it.

Very respectfully,
GEORGE F. H. MARKOE."

The communication was ordered to be placed on file.

The Mayor submitted as a further appointment as Liquor Agent the name of James S. Melvin, and the nomination was confirmed.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the several petitions for erection of stables—by Samuel A. Way on Lyman street, Alfred A. Hall on Piedmont street, and of D. D. Fisk and others on Second street near B street, were taken up for consideration. No person appearing to object, the several reports were recommitted.

The hearing on the proposed reduction of grade of Fort Hill was taken up.

Alderman Talbot stated that the proposed action was under the provisions of a recent act of the Legislature, authorizing the removal of buildings, when necessary in the reduction of grade. The cost had been provided for in the taking of estates for the widening and extension of streets, in all but a few cases, amounting to some $13,000.

The report was recommitted.

DEVONSHIRE STREET BETTERMENTS.

The order of notice on the intention of the Board to assess betterments on Devonshire street was considered.

A remonstrance was presented from the Treasurer of Harvard College, against assessment of betterment, on the ground that the property of the College abutting on Devonshire street is held in trust by the President and Fellows of the College, subject to certain rights, to the maintenance of which they are strictly bound; that by their charter this estate is held free from taxation and contributions of every kind; that subsequent legislation has confirmed this right, and that the courts under legal process have sustained it. Reference is also made to a printed letter of Justice Bigelow, heretofore submitted to the Committee of the Board of Aldermen upon the proposed widening of the street.

F. O. Prince, as trustee of an estate on Devonshire street, said he wished merely to save his rights in the case, and therefore entered his protest against the assessment of betterments upon his estate.

Thomas H. Russell, representing the Brazer's building estate, objected also to the assessment of betterments upon that estate. Situated as that estate was, mainly on State street, with its only entrance on that street, and in full view from Washington street, he did not deem the widening of Devonshire street to be any benefit to the estate. His views were given more fully last year, when the widening was determined upon, and he did not believe any gentleman of the committee would suppose that the estate would bear an assessment for betterment of any considerable amount. He therefore only thought it necessary, as the gentleman had done who had preceded him, to make a protest against any assessment.

The report was recommitted.

The order of notice on the construction of a sewer in Princeton street was taken up.

Albert Bowker inquired whether owners of vacant lots, which were numerous on that street, were to be assessed before entering the sewer. If not, he had nothing to say.

The report was recommitted.

The order on petition of the Boston & Albany Railroad Company, for assessment of damages for land taken from Luther Parks by said Company, was further considered.

James B. Thayer, in behalf of Mr. Parks, said the matter had been carefully considered by Mr. Parks, and he had not been authorized by him to abide by a decision of the Board. It was his desire to have a full hearing in the matter, and he understood that they had a right to such a hearing. He should not object to a nominal award being made by the Board, as a basis, of from $5 to $7 per foot for the estate.

George S. Hale, for petitioners, said if a nominal award was to be asked for of the highest rates, as representing the other party he should ask for one of from $1 50 to $2 per foot. He was there to be heard, and was willing that the award should be final, if agreed to, after that hearing. If thought more desirable, he would take a nominal award, and did not object to either course.

Mr. Thayer said he was willing to go into a full hearing, and had witnesses competent to testify as to the value of the land.

Mr. Hale said he could bring witnesses who would testify that the land was not worth so much as claimed.

Alderman Richards expressed the belief that the matter should go to a committee, to report after hearing evidence in the matter to the full Board. On his motion, the report was referred to the Committee on Streets.

EXTENSION OF WASHINGTON STREET.

By special assignment, the consideration of a plan and route for the extension of Washington street was taken up.

Alderman Baldwin offered the following order:

Whereas, This Board has determined that it is expedient to extend Washington street in a northerly direction; and whereas, it appears, by the reports of the Committee on Laying Out and Widening Streets that the proposed extension of said street can be effected by the Portland street route at a cost of about $300,000 less than by the Haymarket square route, it is hereby

Ordered, That the Committee on Laying Out and Widening Streets be instructed to report the necessary resolve and orders to extend Washington street through Portland street to Causeway street.

Alderman Richards suggested that as one member of the Board had retired unwell, it would be better to have the subject deferred until such time as the Board is full. He therefore moved that the subject be assigned to Monday next.

Carried.

Alderman Rice subsequently offered the following order:

Ordered, That the Committee on Laying Out and Widening Streets be directed to report an order of notice for the widening of Union street, by removing the block of buildings at the northerly end of Dock square; also an order of notice for the widening of the easterly end of Sudbury street, at Haymarket square, to sixty feet.

Alderman Talbot suggested that action on the order should be deferred until it was determined which route for the extension of Washington street should be adopted. He moved that the order be laid on the table. Carried.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Bainbridge street, and report a schedule of the expense to this Board.

Ordered, That the estate of Wm. Doran, No. 22 Hamilton street, surrendered to the city for the widening of Hamilton street, be taken for said widening, bounded as follows: Westwardly by Hamilton street; northwardly by land of Horace Dupee, guardian; eastwardly by a common passageway leading to Humphrey place; southwardly by land of the heirs of Samuel Payson, containing 1109 square feet, more or less. And this Board doth adjudge that the expense of taking the said estate will amount to $6000.

Ordered, That the Committee on Public Instruction be authorized to purchase three lots of land, with the buildings thereon, adjoining the Yeoman street primary schoolhouse, and containing 13,180 square feet, more or less, for a sum not exceeding $17,200.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $18,000, to be applied to the purchase of a site for a primary schoolhouse between Yeoman street and Binney place.

Alderman White, from the Committee on Public Instruction, in his report on the subject, stated that the present school building on Yeoman street contains accommodations for only two hundred pupils. It is an old wooden structure, two stories in height, occupying a lot which contains about five thousand square feet. There are some five hundred primary pupils for which accommodations should be furnished without delay, either on Yeoman street or in the immediate vicinity.

The Committee having made an examination of the district, would recommend the purchase of the three estates adjoining the present schoolhouse, and the erection thereon of a building containing eight or ten rooms. The three estates contain 13,180 square feet, which, added to the lot now owned by the city, will give a front of ninety feet on Yeoman street, and a depth of 202 feet, extending to Binney place, making in all between 18,000 and 19,000 square feet. The estates can be purchased for $17,200. The buildings, including the wooden schoolhouse, can be sold for at least $1000, which would make the cost of the additional land about one dollar per foot.

This appears to be the only available locality for a primary school building which will properly accommodate the pupils; and as real estate in this section is rapidly increasing in value, the Committee are of opinion that it would be a measure of economy to purchase at this time.

Ordered, That on the 20th day of September, 1869, His Honor the Mayor be authorized to convey to the Home for Aged Men the building on West Springfield street, owned by the city, and the land and appurtenances belonging thereto, subject to the conditions of the order passed December 31, 1866.

Ordered, That the Committee on Public Buildings be authorized to contract with Otis Tufts for the introduction of his elevator into the City Hall, at an expense not exceeding $12,500, said sum to be transferred for that purpose from the Reserved Fund.

Yeas, 9; nays, 1—Alderman Van Nostrand.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of a license of an innholder, of sundry wagon licenses, and the transfer of wagon licenses. Severally accepted.

Alderman White reported leave to withdraw on petition of Ann Toley for a fruit stand on Washington street. Accepted.

Alderman Seaver, from the Committee on the Market, reported in favor of the transfer of leases of stalls Nos. 98 and 100 and a portion of a cellar in Faneuil Hall Market. Accepted.

Alderman Talbot, from the Committee on Streets, reported leave to withdraw on petition of Charles D. Cobb & Brothers, for the extension of Hayward place to Chauncy streeet, the petitioners not being abutters on the street. Accepted.

Alderman Talbot reported no action necessary on the petition of Charles Nowell, for acceptance of portions of St. James avenue and of Boylston street beyond Clarendon street. Accepted.

Alderman Van Nostrand, from the Committee on the Assessors' Department, to whom was referred the petition of the German-English School Association that the tax assessed for the years 1867 and 1868 upon the property of said Association be refunded, recommended that the petitioners have leave to withdraw. Accepted.

Alderman Van Nostraud also reported leave to withdraw on the petition of Thomas Crosby, administrator of James Crosby, for an abatement of the tax assessed in 1868 upon the estate of the said James Crosby. Accepted.

Alderman James, from the Committee on Paving, to whom was recommitted the petition of the Winthrop Railroad Company for a location in East Boston, reported the following order of location, which was passed:

Ordered, The Winthrop Railroad Company shall have the right to lay down tracks in several of the streets of that part of the city of Boston called East Boston, as follows: Commencing at the intersection of Lewis and Summer streets, there to connect with the tracks of the Metropolitan Railroad Company as now laid down; thence by a single track through Maverick square; thence upon and over the centre of Chelsea and Saratoga streets, to a point one hundred feet east of the easterly line of Wordsworth street; thence by a curved track from the centre to the southerly side of Saratoga street; thence on the southerly side of said Saratoga street to the bridge connecting Breed's Island, so called, and the town of Winthrop; thence upon and over said bridge, on the southerly side of the same, to the dividing line between the city of Boston and the town of Winthrop.

Also, the right to construct suitable turnouts, as follows: One in Maverick square, one at the intersection of Saratoga and Chelsea streets, one at the intersection of Saratoga and Byron streets, and one at or near the summit of the hill on Breed's Island, so called. The Winthrop Railroad Company shall also have the right to enter upon and run their cars over the tracks of the Metropolitan Railroad Company on Lewis street, for such compensation for the use of the rails as may be agreed upon by the respective companies; and, in case of disagreement, the compensation to be thus paid shall be determined according to law.

The right to lay down the tracks located by this order is upon the condition that the whole work of laying down the tracks, the precise location of the same, and the form of rail to be used, shall be under the direction, and to the satisfaction, of the Committee on Paving and the Superintendent of Streets, and shall be approved by them.

Also, upon the condition that the space between the rails and three feet outside thereof shall be paved with such kind and quality of pavement as the Superintendent of Streets shall direct.

Also, upon the condition that the said Winthrop Railroad Company shall accept this order of location, and agree in writing to comply with the conditions therein contained, and file said acceptance and agreement with the City Clerk within twenty days of the date of its passage; otherwise it shall be null and void.

The Special Committee of the Board of Aldermen to whom was referred the petition of John and Wm. R. Cavanagh, for an investigation in regard to the award of the contract for raising the buildings on the easterly side of Tremont street, made a report, as follows:

By an order of the Board of Aldermen, approved April 13, 1869, the Committee on Laying Out and Widening Streets were authorized to contract for raising and underpinning the houses on the easterly side of Tremont street, between Pleasant street and the Boston & Albany Railroad bridge, so as to conform to the established grade of said street, and also for filling up the cellars and back yards to a grade of not less than twelve feet above mean high water, at an estimated expense of $40,000, to be charged to the Tremont street loan. The owners had previously given the city authority to raise the houses, and had agreed to make no claim whatever for damages caused thereby.

On the 5th of May, the Committee on Streets voted to refer the whole subject of raising the buildings to the Committee on the Church Street District. On the 11th of May, the Commissioners on the Church Street District, at the request of the Committee, advertised for proposals for raising and underpinning the buildings, reserving the right to reject any or all proposals which might be received. When the time for receiving proposals had expired, the Commissioners delivered them unopened to the Committee on the Church Street District. They were opened by that Committee, and found to be as follows:

| | |
|---|---|
| Blair, Proctor & Skinner | $31,984 71 |
| Boynton Brothers | 31,500 00 |
| J. & W. R. Cavanagh | 29,000 00 |

Thereupon, as appears from the records, the Committee voted to "recommend that the contract be awarded to Messrs. Blair, Proctor & Skinner for $31,984 71, said contractors to agree to raise the houses above the grade established by the Board of Aldermen, if desired by the owners, at a rate not exceeding $100 for each and every foot of raising above the established grade."

On the receipt of the vote from the Committee on the Church Street District, the Committee on Streets voted to authorize their chairman to sign contracts with Messrs. Blair, Proctor & Skinner for raising the buildings according to plans and specifications. The contracts were signed on the 20th of May.

It appears, therefore, that the Committee on Streets made the contracts upon information furnished at their request by another committee. The proposal of J. & W. R. Cavanagh was about $3000 less than the proposal accepted. From all the evidence which your committee have been able to gather—and they have given much time and attention to it—they have not discovered any instance in which the petitioners have not performed their work in a satisfactory manner; and the committee find no sufficient reason in the evidence submitted to them, why the contract should not have been awarded to the lowest bidder.

Signed by the Committee, Aldermen Bradlee, Hawes and Van Nostrand.

Alderman Richards said there were some things not shown upon the records of the committee which would give a different view of this matter. After the specifications were made and proposals were called for, the carrying up of the drains and cesspools were brought to the notice of Messrs. Brown & Co., and would have been to others if they had been seen. An allowance of not less than $1000 should be made for that. Believing that these thirty houses on Tremont street were different from others, and seeing the difference in the manner of doing the work elsewhere, even if there had been a difference of $3000 in the proposals, the additional amount would not have been in the way of awarding the contract to the parties to whom it was given. The work did not belong to the Committee on the Church Street District, but to the Committee on Streets, who thought best to place it in their hands. Had the Committee on Streets controlled the matter they would have acted in the same way as the Committee on the Church Street District, and with the facts in the case laid before the Board, the whole Board would do the same.

Alderman Bradlee said he had not intended to say anything on the subject, and the question might resolve itself merely into a matter of judgment The committee had examined into all the contracts of the Messrs. Cavanagh, and had found them to have been faithfully and well performed. Their ability to fulfil their contracts could not be doubted. The committee, therefore, could not see any reason why the contract in question should not have been awarded to them. If the committee who awarded the contract knew anything to the contrary, they had an opportunity to show it.

Alderman Richards said he was invited to appear before the committee in relation to this matter, but he did not wish to appear before the committee to be criticised. He might err in judgment, but he believed that if he was required to go over the subject again, he should decide as he did before, if there was a difference of $2000 in the bids.

Alderman Talbot stated that the subject was referred to the Committee on Streets, who, believing that the Committee on Church Street District was better qualified to dispose of it, as a part of their work, placed it in their hands. He was ready to receive his share of blame in the matter, but with his knowledge of the matter he should have given the contract to Messrs. Blair & Proctor.

In answer to a question of Alderman Hawes, Alderman Talbot said the contract was left with the Committee on the Church Street Territory, to be determined, and with another member of the

Committee on Streets he went to the other committee to sign it, but found that it was to be signed only by the chairman of the committee.

Alderman Baldwin said he felt a delicacy in speaking on the subject. The petition of the Messrs. Cavanagh was presented by him, but he had no personal feeling in the matter. In his view the Committee on Streets had no right to delegate authority in such cases. Before an order of the kind is passed, to be carried out, in transactions of large magnitude, a committee should bring the proposals before the full Board for approval. This delegating of powers was all wrong and he should oppose it hereafter.

It should be the duty of the committee to work up the matter, and report it to the Board. No doubt this award was made in the spirit of honesty, and if placed before the full Board there would have been no cause for objection.

Alderman Richards further defended the action of the committee who gave the contract to Messrs. Blair & Proctor, because they were of the first class builders, and it was necessary to have the work well done. In relation to Messrs. Cavanagh, in one or two important instances, they had failed to perform their work well, and complaint had been made of the defect, particularly in the driving of piles and the settling of a partition wall. The committee knew that Blair & Co. would not need looking after.

Alderman Bradlee stated that in regard to a case mentioned in relation to partition walls, the bricks were carried away by the proprietor of the estate, and that the contractors were ready to put them in place when they were brought back. In relation to the pile driving, after digging down to them, they were found to be all right. The committee had carefully considered the matter, fully investigating all the complaints against the Messrs. Cavanagh, and could see no reason why the contract should not have been awarded to the lowest bidders. The reputation of Messrs. Blair, Proctor & Co. is established. The Messrs. Cavanagh are also amply able, professionally and financially, to fulfil their contracts, and have done their work well. The committee in their report do not intend to cast any reflection on any committee of this Board in reference to the award. The committee on the Church Street District no doubt acted as it thought for the public good, but erred in judgment.

The report was accepted.

Alderman Talbot, from the Committee on Streets, on the recommitted report in relation to the grading of streets on Fort Hill, reported a resolve and order to reduce to grade certain estates on Fort Hill, as authorized by the recent act of the Legislature, at an expense of $13,000.

Alderman Talbot made the same explanation as before, that the estates were to be taken in the reduction of the grade, and not in the widening of streets, and that the expense would amount to about $13,000, all of the rest having been provided for.

The orders were passed.

ORDERS OF NOTICE.

Orders of notice were reported, and adopted, as follows:

On the proposed laying out of Newland street from West Canton street to West Dedham street. Hearing Monday, Sept. 13, 4 P. M.

On the intention of the Board to assess damages to estates in the widening of Tremont street, and on the assessment of betterments. Hearing Monday, Sept. 13, 4 P. M.

ORDERS PASSED.

On motion of Alderman James, an order was passed to pay bills of members of the City Government.

On motion of Alderman White, an order was passed for the abatement of nuisances on Federal and I streets, and an order for the collection of assessments for the abatement of nuisances, amounting to $65 04, on South street and Linwood place, and $325 70 on Snowhill and North Hudson streets.

On motion of Alderman James,

Ordered, That the Committee on the Common and Squares be authorized to have plans prepared by a landscape gardener for the improvement of Washington park and Cedar square, the expense therefor, not exceeding $300, to be charged to the appropriation for Common and Squares.

Ordered, That the Chief of Police be directed to notify the owners of the estate on the northeasterly corner of Shawmut avenue and St. James street to pave the sidewalks on Shawmut avenue and St. James street in front of said estate with brick, within twenty days.

Ordered, That the Superintendent of Streets be authorized to close Devonshire street between State and Milk streets, and Water street between Washington and Congress streets against the passage of vehicles, until the grading of said street shall have been completed.

Ordered, That the Superintendent of Streets be authorized to cut down and remove the trees on Federal street, between Seventh and Middle streets, which extend beyond the line of the edgestones into the roadway of said street. Also the tree in the roadway of Warren street near Moreland street. Also the tree in the roadway of Mercer street, between Dorchester and Telegraph streets.

Ordered, That the Board establish the revised grade of Federal street between First and Fourth streets, and of Broadway between Federal and A streets, as shown on plans made by the City Surveyor, dated August 28, 1869, approved by the Committee on Paving, and deposited in the office of the City Surveyor.

On motion of Alderman Pratt,

Ordered, That the Committee on Public Buildings on the part of this Board be authorized to make such repairs and alterations in the offices of the Suffolk Registry of Deeds as the Committee on County Accounts may suggest, the expense, not exceeding $1500, to be charged to the appropriation for County of Suffolk.

On motion of Alderman Richards,

Ordered, That the sum of $1800 be and hereby is appropriated for the repairs of Steam Fire Engine No. 12, under the direction of the Committee on Fire Department, the same to be charged to the appropriation for the Fire Department.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## SEPTEMBER 2, 1869.

A meeting of the Common Council was held this evening at 8 o'clock, adjourned from Thursday evening, July 23, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Quarterly reports from several departments of the City Government were ordered to be placed on file.

The Auditor's Exhibit, Aug. 6, City Doc. 75, was also ordered to be placed on file.

The petitions of H. G. Barrows, Mary V. Randall, Michael Fitzpatrick, Catharine Cosgrove, and others, were referred in concurrence.

The report and reference to the Committee on the Purchase of the Coliseum, of the petition of C. J. Bishop and others for the removal of said building coming up,

Mr. Gray of Ward Twelve moved its referenc to Committee on Common and Squares.

Mr. Denny of Ward Ten stated that as the Board of Aldermen had referred the petition to the Committee appointed specially to report what disposition shall be made of the building, and that as the Committee on the Purchase would understand this matter better than the Committee on Common and Squares, he hoped the Council would concur in this reference.

Mr. Gray stated that it would be proper to refer the matter to the Committee on Common and Squares of this branch, inasmuch as the Board of Aldermen had done so, and the amendment was carried.

The report leave to withdraw on the petition of the German-English School Association, that the tax on their property be refunded, was accepted in concurrence.

The following orders were passed in concurrence:

Order to pay bills of August draft.

Order authorizing the enlargement of the front door, and the construction of a drain, at Engine House No. 13.

Order authorizing the upper portion of Eastern Avenue wharf to be replanked, at an estimated cost of $4000.

Order to pay bills of September draft.

Order taking the estate of Dennis Collins for the widening of Washington square, and the order taking the estate of William Doran for the purpose of widening Hamilton street, were ordered to a second reading.

Order authorizing the conveyance to the Home for Aged Men, of the city's building on West Springfield street, according to the vote heretofore passed on the subject, was passed in concurrence.

The resolve in favor of widening Eliot street this year coming up,

Mr. Wells of Ward Three asked if it had been in the hands of the Committee on Streets of the Council, and moved its reference to that committee. The resolve was so referred.

A doubt being raised on the vote of reference, Mr Snow of Ward Eleven expressed a hope that the members would all vote.

Mr. Ingalls of Ward Twelve rose to a question of order, that the gentleman interfered when the Chair was solving a question of doubt.

Mr. Snow thought it competent for the Chair to settle the matter, while it was not open to the objection.

The Chair ruled that the inquiry was a proper one, and that gentlemen should all vote.

The question was again taken, and the motion was carried by a vote of 24 to 17.

An ordinance to amend an ordinance in relation to the Fire Department being on its passage,

Mr, Ingalls of Ward Twelve moved that it take its second reading by its title.

Mr. Wadsworth of Ward Four said he had not read the ordinance, and as it was short, hoped it would be read.

Mr. Osborn of Ward Six stated that the ordinance was one of a series which the Committee were about to have printed. The Committee commenced early in the year to revise and prepare the ordinances for printing, and it was desirable that they should be published as soon as possible. They were now entirely out of copies of the ordinances, and the Committee wished to put them in such shape as was desirable. The time was short, and a great deal of work was to be done, and they desired them to be passed, after revision, as fast as the Council can do so. Any explanation which might be needed he would be happy to furnish.

Mr. Keith of Ward Fifteen inquired what the last amendment in this ordinance referred to, by inserting in section 46, 4th line, the words "one dollar" for "twenty-five cents."

Mr. Osborn stated that it was the fine of members of the Department for absence at fires. The fines went into a fund for the benefit of members, and the present fine was found to be insufficient as a penalty. The sum of $1 was believed to be about fair, as that was about the average pay for each fire attended by the firemen.

Mr. Wells of Ward Three did not agree with the gentleman from Ward Six. Many of the firemen were mechanics, and were often out of town. Suppose them to be out of town when three or more fires should occur, the fine would be large, of $1 for each, requiring them to pay much more for a substitute than they received. It was not right, or equal. He moved to substitute fifty cents for one dollar.

Mr. Ingalls stated that the recommendation of the increase came from the Committee on the Fire Department.

Mr. Wells inquired why the engineers should not be fined, who received salaries of $500?

The motion to read the ordinance by its title was carried, the amendment of Mr. Wells was adopted and the ordinance was passed as amended.

The report and order authorizing the purchase of three lots, with the buildings thereon, adjoining the Yeoman Street Primary Schoolhouse, containing 13,180 square feet, more or less, and authorizing a loan of $18,000 to be applied to said purchase, were considered.

Mr. Hopkins of Ward Ten inquired whether there was not a lot of 12,000 feet of land within 150 feet of the estate, which belonged to the city, and which could be used for the proposed schoolhouse.

Mr. Osborn of Ward Six replied that there was a lot by the side of the Dearborn Grammar School, but that did not meet the wants of the city. The street had not been accepted, and to make it acceptable, twenty feet would require to be taken from this lot. The committee paced the lot, and found it to measure about 10,000 feet. With the deduction it would be much less, and unsuitable for the purpose. On Yeoman street the lot was 90 by 200, as small a lot as any schoolhouse is now provided for. In its rear is Buzzey place, giving it two entrances. It was suited to the wants of the district, and its location was satisfactory to the committee. It was admirably adapted for a primary schoolhouse, while the other was not.

Mr. Hopkins stated that there was a street in front of the lot which he favored, the lot containing 12,000 feet. The old lot could be sold for $5000, and with the $17,000 designed for the purchase of the new site, the sum would go far towards building the new schoolhouse.

Mr. Ryan, of Ward Thirteen, thought the gentleman was unacquainted with the street referred to by him, which was six or eight feet below grade. It was the opinion of the School Committee that the lot in question would be required for the Dearborn Schoolhouse yard. The street could never become a public thoroughfare. There was not so desirable a selection in the Ward as that proposed by the Committee, and no land could be had so cheap. The bond for the land would expire before the next meeting of the Council, and it would be difficult to get the parties to renew or extend it.

Mr. Wells of Ward Three wished to know if it would not be well for the Committee on Public Instruction to bond half the land in Roxbury. He thought it would, from the way in which land had been put up in value.

Mr. Ryan said that with the sale of the old building, as proposed, the land would net in cost about $1 per foot, and none could be had for less than that. There was none other for sale in that vicinity but marsh land.

Mr. Wells further said, "If I don't mistake, the city owns a lot in that neighborhood, purchased for an engine house."

Mr. Ryan replied that the gentleman was mistaken; the lot referred to was a quarter of a mile off, in another school district. The lot under consideration the School Committee recommended and it was a very desirable one.

Mr. Hopkins said he did not wish to deprive the people in that section of a schoolhouse. If the Dearborn School location was not a good one, we must be wiser than our fathers were.

Mr. Ryan said if we were not as wise, he hoped they would make a better location than either the Dearborn or the George Street school, situated between two factories.

Mr. Keith of Ward Fifteen stated that the number of feet in this lot was less than the habit we have of appropriating for schoolhouses; there was a necessity for increased accommodations in the Yeoman Street Primary Schoolhouse. It would not answer to build on the lot adjoining the Dearborn school, thus cutting off the light and air. The neighborhood is building up rapidly. This primary school has accommodations for 200 and there is a demand for 500.

So far from casting reflections on the committee, their action was the wisest which could be done, and there was no more fitting location than they have secured. When the old building is sold, the price will be about $1 per foot. There is none so low in that vicinity. There are other primary schools in Roxbury in which schools should not be kept for a single day. The primary schoolhouse in Centre street is a disgrace to the city, and he was surprised that the committee had not long ago reported it entirely unsuitable. Situated as it is, with manure heaps from the engine house close under it, it ought to be abated as a nuisance.

Mr. Jenks of Ward Three inquired how long this had been so?

Mr. Keith replied that it had been ever since the annexation of Roxbury to Boston. He did not know how much before this it had existed, for he did not hold any office under the city of Roxbury, and was not familiar with the locality. Since he had been in the Council, it had become a part of his duty to see such places.

Mr. Jenks said his only wish in inquiring was to know how long such schoolhouses had existed in Roxbury. He supposed most all of the schoolhouses had been built over since annexation.

Mr. Keith replied that the gentleman had gone out of the record in this matter. Less money had been spent in that part of the city since annexation than in any other part of the city—much less than in the same territory in any other part of the city.

The orders were passed by a vote of 47 yeas to 2 nays.

The order authorizing a contract to be made with Otis Tufts for the introduction of his elevator into City Hall, at an expense not exceeding $12,500, was considered.

Mr. Snow of Ward Eleven said he was not quite certain from the reading of the report that a proposal was made at a lower sum from some one else than Mr. Tufts.

The order was read, showing a lower proposal by Mr. Ashcroft, and a proposal by Mr. Joslin last year.

Mr. Snow said that he understood the elevator of Mr. Joslin was much better and the expense less. The Council had the subject before them last year, and was not prepared to go to the expense, and he did not suppose the order would pass now. It seemed to be an unnecessary expense. The members of the Council come together but once a week, and it was not essential that they should get to their chamber by an elevator.

Mr. Wells of Ward Three said he opposed the measure last year, and he should this. If any gentleman could not walk up the stairs to the Council Chamber, he had better not come here. Visitors at the State House had no difficulty in walking up to the top of the building, and he did not wish to put up an elevator for such people to get up into the City Hall.

Mr. Wadsworth said he understood the Superintendents in the City Hall did not want this elevator. He agreed with the gentleman from Ward Three that members of the Council ought to be able to walk up the stairs. When they get so lazy that they cannot walk up the stairs, they had better resign.

Mr. Ingalls of Ward Twelve looked upon this as an era of good feeling, when the gentlemen from Wards Three and Four could agree; it was the lion and lamb lying down together. The proposed elevator was not for the members of the Council alone, but for the public. No building of the size in these days was without some means of reaching the upper stories, besides the stairways. The measure would be acceptable to the people generally.

Mr. Judson of Ward Fourteen said if he should consult his own feelings he should not vote in favor of the order. Is was not for the members of the Council, but for the general good. The expense looked large, but this was not for one year, but for many years. It was a small matter, not absolutely necessary, but desirable. All large and fine buildings are now provided with them. It was not intended for the members of the Council, but for citizens of Boston and of the State, and many persons would go up to the City Hall for the splendid view.

Mr. Wells did not see why any persons should be anxious to get up into the City Hall. When he came here, he was anxious to get out of it as soon as he could. Go to the Merchants' Exchange, Post Office, Custom House, and such places. There were no elevators in those buildings, nor in churches, and he should think there was as much need in churches to hoist people up into the galleries. As to the talk about country people, and getting them up into the public buildings, we have had enough of them. There was no elevator to get into the State House.

Mr. Wadsworth, after what the gentleman from Ward Twelve had said, was sorry to disagree with his friend from Ward Three. He did not find gentlemen so fond of getting out of the City Hall. Frequently in coming here he had found the Hall filled with lobbyists, too lazy to work. They were the ones to be raised by steam. One could not get the ear of members now, on account of the lobbyists who have axes to grind. He moved the yeas and nays on the passage of the order. Carried.

Mr. Ingalls said he was glad to have the yeas and nays ordered, for he was never afraid of meeting any such question. The gentleman's experience with lobbyists was much greater than his was, for he had never been troubled with them. He believed that an elevator was really needed. It was not for the rich man, who can send his clerk to pay his taxes, but for the poor man, the hard working laboring man, who had but a little time to spend in the City Hall, and cannot spend it in going up and down stairs.

Mr. Wells inquired how the poor man could be called upon to go up stairs to pay his taxes.

Mr. Ingalls said it depended on how they entered the City Hall, or on which side it was entered.

Mr. Hall of Ward One felt compelled to go against the measure, for no citizen had asked for it. Members and officers might wish for it, but in no single instance has an outsider requested it.

Mr. Judson of Ward Fourteen was surprised at what had been said about lobbying, for he had seen nothing of it.

Mr. Wells said that where there was one here, there were 400 visitors at the State House, who never complained or asked for an elevator.

Mr. Pickering of Ward Fourteen said if it was not for the benefit of members but for the public, it was well to ascertain whether the public want it. He hoped the order would not pass.

Mr. Keith of Ward Fifteen stated the origin of the order. It was introduced into the last City Government by Col. Wright of Ward Twelve, and referred to the present City Council. When the matter came before the committee this year, there was no feeling on the subject. The members of the committee of the other Board thought the members of the Council wanted it, and after an examination and investigation recommended the passage of the measure.

The order was lost, by a vote of 13 yeas to 35 nays, as follows:

Yeas—Batchelder, Butler, A. F. Cole, Denny, Gray, Ingalls, Johnston, Judson, Osborn, Rich, Ryan, Vannevar, Wilkins.

Nays — Belknap, Bond, Braman, M. J. Cole Conant, Crowley, Daniels, Davis, Doherty, Emerson, Flanders, Frost, Going, Hall, Hopkins, Jacobs, Jenks, Keith, Kingsbury, Learnard, Lucas, Malone, Nelson, Noyes, Pearson, Pickering, Poor, Rogers, Snow, Talbot, Tucker, Wadsworth, Wells, Woods, Woolley.

The non-concurrence of the Board of Aldermen in the amendment of the Common Council to the order to pay Charles R. Train for services relative to the annexation of Dorchester was taken up.

Mr. Keith of Ward Fifteen moved that the Council recede from its amendment.

Mr. Jenks of Ward Three said he had received a note from Mr. Train in which he expressed himself as highly delighted with the action of the Council. He did not wish to deprive him of his happiness in receding from that action.

Mr. Keith asked if the gentleman would read the whole of the note.

The motion to recede was lost.

On motion of Mr. Wilkins of Ward Nine, the orders authorizing the erection of a Primary Schoolhouse on Berlin street, at a cost of $58,000; and a loan of said amount to be appropriated therefor, were taken from the table and considered.

The orders were passed by an unanimous vote.

UNFINISHED BUSINESS.

An ordinance providing for the care and management of the Boston Water Works, City Doc. 71, was considered.

On motion of Mr. Jenks, section twenty-eight was amended to provide that in tenement houses where a water closet or bathing tub is used the charge shall be $3 for either, or $5 for both.

Mr. Wadsworth moved to amend section eleven to provide that the Water Registrar shall be elected by the Water Board. In support of this motion he said the Board controlled the action of the Registrar, and he should be elected by them.

Mr. Ingalls hoped the Council would continue to control the election of the Registrar.

Mr. Hall also opposed the amendment.

Mr. Osborn said there was such a control by other Boards. In this case the City Council had no special control over the Registrar. All his duties were under the direction of the Water Board. If the Board did not make the right selection, the Council could make a new Board.

Mr. Keith agreed that many of this kind of officers might as well be elected by the departments to which they belonged. In the early part of the year, most of the time for three months was occupied in the election of officers.

Mr. Jenks was sorry to disagree with the gentleman. It was easier to judge of one man than of eight. This was the only method the Council now has of exercising an influence on this question, and he hoped it would not be relinquished.

The amendment was lost.

Mr. Wells moved to amend Section 39, by making the charge for water, for building purposes, three cents, instead of seven, for each cask of lime or cement.

Mr. Osborn opposed the amendment, the old provision having stood many years without being questioned. It was not the mere absorption of water by the lime, but the use of the water during building.

Mr. Wells objected to making the mason pay for all the water used in building by other parties as well as himself.

Mr. Braman of Ward Six referred to the use of water on bricks in building, as well as in the lime.

On motion of Mr. Osborn the previous question was ordered and the amendment was lost, 10 to 27.

Mr. Wadsworth proposed an amendment, which was ruled out of order.

The ordinance, as amended, was then passed.

REPORTS OF COMMITTEES.

Mr. Keith, from the Committee on Public Buildings, to whom was referred the petition of the Managers of the Discharged Soldiers' Home for an appropriation to repair the Almshouse in the Highland district, for the purposes of the Home, having considered the subject, reported that the necessary repairs and alterations can be made for a sum not exceeding $2500. The committee would therefore recommend the passage of the accompanying order.

Ordered, That the Committee on Public Buildings be authorized to make such repairs and alterations in the building known as the Almshouse, in the Highland District, as may be required to fit it for occupation as the Discharged Soldiers' Home, the expense therefor, not to exceed $2500, to be charged to the appropriation for public buildings.

The order was read once, and considered under a suspension of the rules; Mr. Keith stating that less than twenty days remained before the inmates of the Home must be removed.

Mr. Snow inquired whether there were to be any soldiers to occupy the new home, when fitted up, for he had an impression that the State had provided for all the soldiers who remained in the Home.

Mr. Keith stated that the State made no appropriation. Under a misrepresentation that there were no soldiers in the Home but vagrants, no appropriation was made. That statement was not true, every soldier being received on the best testimonials of his being worthy of aid. There were but thirteen now in the Home. The city had passed an order to convey the building in Springfield street to the managers of the Home for Aged Men. The Almshouse at Roxbury was unoccupied and needed but little expense to fit it up.

The Committee felt that under the circumstances it would be a breach of faith and gross injustice not to provide a place for these soldiers, who would be taken care of by ladies in the procuring of subscriptions.

The order was read a second time and passed.

Mr. Keith, from the Committee on Public Buildings, who were requested to procure plans and estimates for a primary school building containing six rooms, at the corner of Church and Fayette streets, made a report that in accordance with the request of the City Council they procured plans satisfactory to the Committee on Public Instruction, and received proposals for erecting and furnishing the building according to said plans. The expense of building and furnishing is estimated at $41,000. The Committee would recommend the passage of the accompanying orders:

Ordered, That the Committee on Public Buildings be authorized to erect a primary school building on the lot of land owned by the city at the corner of Church street and Fayette streets, according to the plans approved by the Committee on Public Institution, and furnish the same for occupation, at an expense not exceeding the sum of $41,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $41,000, to be applied to the building and furnishing of a primary schoolhouse at the corner of Church street and Fayette street.

These orders were read once.

Mr. Snow of Ward Eleven offered the following order:

Ordered, That a special committee be appointed, consisting of three on the part of the Common Council, with such as the Board of Aldermen may join, to consider and report whether any action is necessary on the part of the City Council during the present municipal year, growing out of the annexation of Dorchester, with special reference to the large appropriations and loans authorized by the town of Dorchester since the acceptance of the act of union.

Mr. Snow said he offered the order on the ground that if a committee was appointed, and in existence, it would have special cognizance of the subject of the appropriations at the late town meeting in Dorchester. He understood that the special appropriations at this meeting amounted to $130,000 in addition to the appropriations of $127,000 at the annual meeting in the Spring. In 1868, the appropriations amounted to $162,000; in 1867, $107,000; in 1866, $97,950; in 1865, $70,080.

He was told by a gentleman resident in Dorchester for thirty years, that he did not recollect of such a case of making any considerable appropriation at a special town meeting. It was mooted also to call another town meeting and make further appropriations. Quite a number of streets were accepted at this meeting which were laid out thirty years ago. At first many of them were but thirty feet in width, and now they are forty, but not more. He had been told of matters which he could not vouch for, but was assured that land bought six months ago for nine cents a foot had been sold to the town for twenty-five cents, upon which to build an engine house. Money had been borrowed on long loans at seven per cent. If there has been any indecent haste in appropriating money to be paid for by the city, anything looking like sharp practice, it should be known, and they should receive their reward hereafter; if it is not true, it should be ascertained, that injustice may not be done.

Mr. Keith said that whether the action of the town meeting was in good or bad taste, it was entirely in the hands of the people of Dorchester; this city had no more control over the matter than the town of Dorchester had over this city. If their action has been unwise, instead of an advantage it will be an injury to them, when annexation was finally completed.

The order was rejected, 10 to 16.

ORDERS PASSED.

On motion of Mr. Tucker of Ward Six,

Ordered, That the Joint Committee appointed to approve bills chargeable to the appropriation for the Fire Department, be authorized to expend a sum not exceeding $2000 to make arrangements for the parade of the Fire Department, on the 17th of September, in accordance with the request of the City Council. Said sum to be charged to appropriation for incidentals.

On motion of Mr. Hopkins of Ward Ten,

Ordered, That the City Treasurer be directed to report to the City Council the names of citizens assessed $100 and upwards, whose taxes remain unpaid.

On motion of Mr. Rich of Ward Fourteen,

Ordered, That the Committee of Bathing be directed to consider the expediency of using the bath house on Cabot street, Boston Highlands, for an evening school from the 1st of October to the 1st of April.

On motion of Mr. Butler of Ward Ten, it was ordered that the meeting of the Council commence hereafter at 7½ o'clock.

Adjourned to Thursday evening next.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## SEPTEMBER 6, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Thirty-five traverse jurors were drawn for the Supreme Judicial Court.

Four grand jurors and four petit jurors were drawn for the U. S. District Court.

APPOINTMENTS MADE AND CONFIRMED.

Special Police officers, without pay—Edward Tait, for duty on Tremont street bridge; John J. Patterson, for duty at Ripley & Clapp's wharves, Commercial street; Horace Hammond, at Cambridge Horse Railroad office, Bowdoin square.

PETITIONS PRESENTED AND REFERRED.

Lucinda P. Wiggin, for abatement of tax on real estate in Ward Ten. Referred to the Committee on Assessors' Department.

Geo. Lewis and others, that Tremont street be widened on the westerly side, near the Boston & Providence Railroad.

C. A. Damon and others, that Woodbine street be accepted.

Samuel A. Way, that Terrace street and a portion of Cove street be accepted.

Samuel A. Way, to be compensated for losses sustained in consequence of the proposed widening of Castle street, which was not accomplished.

C. L. Bartlett and others, that Newbury street, between Arlington and Berkeley street, be accepted.

Alvah Kittredge and others, that Linwood square be accepted as a public way, &c.

Warren Fisher and others, that Parker street be widened on the Champney estate.

Severally referred to the Committee on Streets.

Geo. W. Warren and others, that Boylston and Tremont streets, near Hotel Pelham, be paved with wood.

Charles F. A. Feyhl, to be paid for grade damages on Ruggles street.

William M. Prior and others, that sidewalks be laid on Trenton street, between Meridian and Brooks streets.

Merchants' Insurance Company, to be compensated for change of grade in Water street.

Derby & Williamson, to be compensated for injuries caused by change of grade on Tremont street, at Nos. 254, 256 and 258.

Henry P. Binney and others, for edgestones and sidewalks on a portion of Walnut avenue.

Wrisley, Wetherbee & Co. and others, that Bulfinch street from Bulfinch place to Bowdoin square be repaved with wood.

Severally referred to the Committee on Paving.

J. G. Abbott and others, for the use of Faneuil Hall Oct. 14 and 15 for a meeting of the Workingwomen of Massachusetts. Referred to Committee on Faneuil Hall.

Henry A. Page and others, against obstruction of sewerage from India street through Atlantic avenue.

J. G. Smith and others, for a sewer in Clarendon place.

Severally referred to Committee on Sewers.

Patrick D. Crosby and others, for a lamp in Crosby place, Boston Highlands.

Asa Morrill and others, that a lamp be placed and lighted on North Grove street, corner of Davis court.

Wm. Timlin and others, that gas lamps be placed and lighted in Dartmouth place.

Severally referred to Committee on Lamps.

James Sands, to be compensated for injuries done to his horse by an alleged defect in Beacon street. Referred to Committee on Claims.

Harriet Parmelee, that certain instalments paid by her husband, Ashley Parmelee, on land on Lenox street, may be refunded to her. Referred to Committee on Public Lands.

Rodney Presby & Co., for leave to erect a stable for fifteen horses on Sixth street, between B and C streets. Referred to Committee on Health.

NOTICES OF INTENTION TO BUILD.

D. A. Berry, Second street, between B and C streets; J. A. Bell, First street, between E and F streets; N. H. Cary, Salutation street; K. W. King, Fourth street, between M and N streets; A. & J. McLaren, court rear of Nos. 22, 24 and 26 Trenton street; E. A. Perkins, 753 Tremont street; C. G. Hord, Fifth street, between B and C streets; P. McAleer, 42 West Cedar street; G. W. Gerrish, 100 Blackstone street; Richardson Young, 46 West Cedar street; Francis McCabe, Ninth street, between Dorchester and E streets; Frame & Jordan, corner of Havre and Decatur streets; Burrill & Whitney, Dove street, between F and Dorchester streets; also, rear of K street, between Broadway and Third streets; Wm. McKenney, Nos. 18 to 32 London street. Severally referred to the Committee on Streets.

AUDITOR'S MONTHLY EXHIBIT.

The Monthly Exhibit of the Auditor was presented, in print, giving an exhibit of the general and special Appropriations for the present financial year of 1869–70, as shown in the books in his office, September 1, 1869, including the September draft, being five months' payments of the financial year, exhibiting the original appropriations, the amount expended, and the balances of each unexpended at that date. A recapitulation of the expenditures gives the following result:

| | Appropriations, Revenues, etc. | Exp'nd'd | Un'xpend'd. |
|---|---|---|---|
| General... | $8,714,776 98 | $2,812,547 69 | $5,902,229 29 |
| Special.... | 6,143,385 49 | 1,610,451 71 | 4,532,933 78 |
| | $14,858,162 47 | $4,422,999 40 | $10,435,163 07 |

Read and ordered to be sent down.

THE HUMBOLDT FESTIVAL.

The following communication was read:

*To His Honor the Mayor, and City Council of the City of Boston:*

The Committee of Arrangements for the Centennial Anniversary of the birth of Alexander Von Humboldt, respectfully invites your aid in the celebration of that event, feeling that the direct coöperation of the City Government will greatly add to the dignity and interest of the memorable occasion.

As the scientific explorations of Von Humboldt extended over both continents, America may fitly claim a share in celebrating this anniversary. But his strictly scientific labors were but a part of the foundation of his fame. He stands as the best model of universal culture, concentrated by the noblest aims. The physicist, the naturalist, the physiologist, the geographer, the student of history, of literature and of the arts, all are his debtors, and we ask the coöperation of all. In the present effort of our nation after a higher education, we need not merely precepts, but examples. We recognize a high example when we celebrate the birthday of Von Humboldt.

This celebration is under the auspices of the Boston Society of Natural History—one of the oldest and most honored societies in this city. They have invited the coöperation of other literary and scientific societies through the Commonwealth and New England, and such societies as the Massachusetts Historical Society, the American Academy of Arts and Science, &c., &c., will be represented by delegates.

Professor Agassiz, the intimate friend of Humboldt, and avowedly one of the most distinguished naturalists of our time, will deliver the address at Music Hall, on Thursday, Sept. 14, commencing at 3½ o'clock. Every arrangement has been made to render the occasion memorable.

The Committee of Arrangements are particularly desirous that the City Government should be represented by official delegates on this occasion, and we respectfully ask that the different branches of the City Government may thus be represented.

If you will favor us by acceptance of this invitation, the best seats within our power shall be reserved, and every mark of respect and honor shall be extended.

If you will favor us with information of any action taken and the names of delegates appointed, you will confer a great favor upon the Committee of Arrangements.

For the Committee, R. C. WATERSTON, Chairman.

On motion of Alderman Bradlee the following order was passed—the committee being appointed by the Mayor:

Ordered, That the invitation from the Committee on the Humboldt Festival be accepted, and that the chairman of this Board and Aldermen Bradlee and Pratt, with such as the Common Council may join, be requested, with the concurrence of his Honor the Mayor, to represent the city of Boston at the proposed Humboldt Festival on the 14th inst.

A communication was received from the Boston & Providence Railroad Company in relation to propositions for a discontinuance of the old Heath street line, at or near its crossing of the railroad, with its assent to a location of the same at a different point of crossing, upon the passage of a legal and proper order by the Board of Aldermen in the establishment of a gate at the crossing, and its willingness to maintain a gate at such crossing. Referred to Committee on Streets.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That the Treasurer be directed to remit the tax assessed upon the heirs of Maria Fernald for the year 1867, amounting to $62; also the tax assessed upon said heirs for the year 1868, amounting to $28 29.

Ordered, That the Committee on Markets be authorized to provide new pipes for the stoves in the Faneuil Hall Markets, at an expense not exceeding $800, to be charged to the appropriation for markets.

Ordered, That the Committee on Common and Squares be authorized to contract for the grading or partial grading of Madison square, at an expense not exceeding $5000, to be charged to the appropriation for Common and Squares.

PAPERS FROM THE COMMON COUNCIL.

An ordinance to amend an ordinance in relation to the Fire Department; amended by substitution of fifty cents for one dollar as a fine for absence or tardiness, was considered on concurrence in the amendment.

Alderman Richards hoped the Board would adhere to the report of the committee in keeping the amount of the fine $1. It was not the fifty cents or one dollar which was wanted, but the services of the men who get the pay. By making it the highest price, the services of the firemen would be the more likely to be secured. The ordinance provides two substitutes for each company, and if it becomes necessary for one of the men to go out of town, he has only to secure one of these substitutes, and he will not be required to forfeit his pay. If a dollar is more likely to keep a man than fifty cents, then the Board should not concur in the amendment. The Board refused to concur.

An ordinance to provide for care and management of Boston Water Works; amended by inserting three dollars for water-closet or bath-tub in tenement houses, coming up on concurrence, the amendment was concurred in.

The order to pay Charles R. Train for services on subject of annexation of Dorchester $500, instead of $1000 as passed by this Board, was considered.

Alderman Van Nostrand said he saw no reason for a change in his vote, and hoped the Board would not concur. Mr. Train did the work required and did it well. The only objection he had heard was that he received $500 for his previous services as Commissioner. If there had been three to perform the service which Mr. Train did, as in the other case, it would have cost two or three times as much. The pay of $1000 he believed to be little enough.

The Board refused again to concur in the amendment.

The order to repair the old Almshouse in the Highlands for a Soldiers' Home at an expense of $2000 was passed in concurrence.

The order to expend $2000 on proposed Fireman's Parade this month was amended on motion of Alderman Richards, by making the appropriation chargeable to the Fire Department instead of "Incidentals," and as amended was passed.

Order for City Treasurer to report the names of citizens assessed $100 and upwards whose taxes remain unpaid being under consideration,

Alderman Talbot said he did not understand what the intent of the order was.

Alderman Bradlee stated that he understood there were many persons who were in arrears in the payment of their taxes, and it was believed that in some instances, if not many, where the parties could pay, by giving publicity to their names would induce them to pay and bring money into the treasury. These were not his views, but he was assured such was the intent of the order by the member of the other branch who offered it, but did not have an opportunity of giving his reasons for it.

Alderman Talbot said if this were the purpose of the order, it looked like a reflection upon the Treasurer for his manner of collecting taxes. He presumed he collected all the taxes which he could, and hoped the order would not pass. The order was rejected.

The order to consider the expediency of allowing the Cabot Street Bath House to be used for an evening school in the fall and winter was passed in concurrence.

The report and order for Committee on Public Buildings to erect a Primary Schoolhouse on Berlin street, at a cost of $58,000, and to authorize a loan therefor, was considered.

Alderman Talbot wished to know why there was a necessity for two new primary schoolhouses so near to each other in that vicinity, and whether one could not be made sufficiently large to accommodate all the schools designed to be provided for by the two.

Alderman Richards, in reply, stated that there was not a single primary schoolhouse in that district in Ward Nine. There are six rooms in the house in Warren street, and the Alderman is familiar enough with that building to know that it is entirely unsuitable for school rooms. There are three rooms in Newbern place, which are not fit for school rooms. There are also one or two in Nassau Hall which have not the conveniences for school rooms, and there are also several in the church in Indiana street, which are below the level of the street. The schoolhouse in Berlin street will accommodate the children in the six rooms in the building on Warren street, with others not at school. The other schoolhouse in Fayette street is designed to accommodate the children in the schools in Nassau Hall and in the Indiana street church. If any section of the city needs primary schoolhouses it is this.

Alderman Talbot said he made no objections to the provision for school accommodations. His inquiry was simply whether the Berlin street schoolhouse could not be made to accommodate all of these schools.

The order was passed by an unanimous vote.

EXTENSION OF WASHINGTON STREET.

On motion of Alderman Baldwin, the order for Committee on Streets to report a plan for the extension of Washington street by way of Portland street, as follows, was taken up:

Whereas, This Board has determined that it is expedient to extend Washington street in a northerly direction; and whereas, it appears by the reports of the Committee on Laying Out and Widening Streets that the proposed extension of said street can be effected by the Portland street route at a cost of about $300,000 less than by the Haymarket square route, it is hereby

Ordered, That the Committee on Laying Out and Widening Streets be instructed to report the necessary resolve and orders to extend Washington street through Portland street to Causeway street.

Alderman Baldwin said he was well well aware that a majority of the Board had made up their minds to go against the Portland street route. He would like to hear the arguments in favor of the Haymarket square route, before advocating his own proposition.

Alderman Richards said he was in hope the gentlemen would first give his reasons in favor of the Portland street route. He was one of those who were in favor of the Haymarket square route, and did not care when the reasons were given. The reason he had heard in favor of the Portland street route was, because it would cost less by $300,000. Were it a question solely of dollars and cents he should consider the matter; but on the score of expense he regarded the claim that the Portland street route would cost less but a myth. It was contended that as the Portland street route was the longest it must necessarily bring the largest amount of betterments. But he did not so look at the question, for he believed that the property everywhere in the vicinity of Haymarket square would be subject to assessment for betterment. If he

were to favor a project to benefit the Lowell and Eastern Railroad depots, he should advocate the taking of Friend street for such a purpose. Standing near Faneuil Hall, the course through Friend street was straight, and the clock could be seen upon the Eastern Railroad depot. The object to be gained in the extension of Washington street, was the relief of the streets in the vicinity of Dock square. That relief could be gained only by the extension of Washington street to Haymarket square.

Alderman Richards indicated as a further means of relief to crowded streets down town, that measures might be adopted so that after the morning hours, when business men reach their places of business and the streets are crowded by teams, cars shall not be allowed to run below a certain point; for instance, the cars from the South End not to run below Essex street. In this way much relief might be obtained from the crowding of streets.

Alderman Baldwin thought every gentleman of the Board would agree with him that the extension of Washington street was the most important and necessary improvement that had been made for many years. In the expenditure of a large amount of money for improvements of this kind, it was well to study the necessity and cost of such improvements. He believed that the Portland street route was not only the best but the most economical route, and wished the Board would bear with him in presenting some statements to sustain the views which he entertained. The figures as presented by the Committee were cited by him, making the cost by the Haymarket square route to amount to $1,175,000.

The betterments on this extension, he contended, could not amount to more than one-sixth of the cost of extension, or $200,000, which would leave a net cost of $975,000. The cost of the improvements would be the same in either case to Brattle street and to Hanover street, while it would be the greatest from Hanover street to Haymarket square. In crossing Hanover street to the square, the line would pass within twenty feet of Union street, and through this route there would be a great destruction of property, which the betterments could not compensate for.

At no distant day, he was convinced, every one must agree with him Devonshire street must be extended. The extension must either be through Wilson's lane or Exchange street, and thence into Union street and Haymarket square. It must be clear that two such important streets as Washington street and Devonshire street should not have their outlet to a square already crowded. The only argument in favor of such a route was that it is the avenue to Charlestown. There are now eight streets leading into that square, and such is its crowded state that it is dangerous for public travel. On that account it was not desirable to increase the travel in that direction. By the statements before the committee, it appeared that the number of passengers over the Boston & Maine Railroad who passed into the square was seven millions a year, and by the Fitchburg road four millions, making a total of eleven millions who passed into or through that square.

Over the Lowell Railroad there were about seven millions of passengers, and over the Eastern about four millions, making a total of about eleven millions who pass into or through Friend and Portland streets, and would be best accommodated by the extension of Washington street through Portland street. It was evident enough that Haymarket square should not be more crowded by turning additional travel into it, and that Portland street should be widened and become a part of Washington street to accommodate the crowds of persons from the Lowell and Eastern Railroads.

On the route from Hanover street to Haymarket square, he did not believe a dollar could be collected in the way of betterments, while a vast amount must be paid for the destruction of property. On the ground of argument of making Washington street a thoroughfare through the city to Charlestown, the route to Haymarket square would not make a straight street, and rather than cut at an angle within twenty feet of Union street, he would prefer to take Friend street for the extension. Taking the line from Cornhill, it would be found that Washington street through Portland street to Causeway street, would be the straightest part of Washington street.

He did not believe that much improvement would result from the Haymarket square route in twenty years, while Portland street as a part of Washington street would be the great retail promenade, and become one of the best outlets of the city.

Alderman Baldwin also spoke of the demands and needs for railroads, and expressed the belief that in four or five years Atlantic avenue would extend around the business portion of the city, and it was desirable that a wide street should be made to connect with Atlantic avenue in the vicinity of Causeway street.

On motion of Alderman Baldwin a recess was taken of five minutes, to enable him to exhibit plans of a new avenue in continuation of Washington street.

After an examination of the plans relative to the proposed avenue to Stoneham, Alderman Baldwin remarked that it must be evident this improvement would be very important as a straight avenue through Somerville. Property in Somerville would be much improved, and Haymarket square greatly relieved. The bridge which would be required would be much like that of Cragie's bridge in length.

There were other projects which the city would be called upon to carry out before many years, in the extension of Albany street, Harrison avenue and Shawmut avenue. The last he looked upon as a very important avenue, which extended to Dedham in its southerly direction, and must be extended northerly to Tremont street, making the longest street through the city.

Alderman Richards said he had given his own opinions only in relation to this matter. On the showing of the Alderman who had just spoken, and putting the passengers of the Eastern Railroad as properly belonging with those of the Maine and Fitchburg Railroads, there would be 15,000,000 to be accommodated by the Haymarket square travel to 7,000,000 by the other route, for it would not be fair to compel these passengers to go up to Portland street to reach Washington street. So far as related to blocking of Haymarket square, he asked a gentleman whether he had ever seen it blocked by teams, and the reply was that he did not know that he had ever seen it blocked.

In the extension of so important a street there ought always to be had in view a good landing place. This could not be at Causeway street, but to Haymarket square it would strike the streets to Charlestown. It had been objected to this route that it would not afford betterments, but would spoil property. The heater pieces made by cutting estates at angles would be eagerly sought for, and many persons would gladly give a great price for them. So far as betterments were concerned, it would be almost impossible to compute the betterments which might be assessed.

Alderman Baldwin further remarked in relation to the Eastern Railroad Company, that it is the design in their contemplated improvements to take all their freight to that portion of the city, and that it would much convenience them to widen Portland street. As to the betterments, every foot after leaving Hanover street, would leave a depth sufficient for business purposes and create a betterment to almost an incredible amount. On the other hand, in the cutting off and destroying property on the line to Haymarket square, it would be difficult to obtain any betterments.

Alderman Baldwin said in regard to betterments off of Haymarket square, there was no evidence within his hearing before the committee as to the willingness to pay such betterments. There might have been such, but not when he was present in committee. All persons who had had anything to do with assessing betterments off of a line of improvement must have been satisfied of the difficulty of assessing such betterments, and he warned gentlemen not to place a great amount of reliance on such betterments. He believed there would be a necessity for widening Sudbury street, in its connection with Tremont street, and Tremont street and not Washington street he believed to be the natural backbone of the city.

Alderman Bradlee contended that betterments would not be confined to the estates on the route to Haymarket square. Near Haymarket square, in various directions, betterments may be obtained, even to a greater amount, as he believed, than on the Portland street route. He had occasion often in the summer to cross Haymarket square, but he had never seen it blocked. The extension of Washington street through Portland

street to Causeway street would be objectionable from want of connection with through thoroughfares, the Boston & Maine Railroad trains crossing Causeway street two hundred times a day, and closing the street in doing so. So far as related to Washington street, that street must be a middle street through the city for a long time to come.

The question was taken on the substitute of Alderman Baldwin, which was lost by a vote of three yeas to nine nays, as follows:

Yeas—Baldwin, Hawes, Rice.

Nays—Bradlee, Fairbanks, James, Pratt, Richards, Seaver, Talbot, Van Nostrand, White.

Alderman White offered the following resolution:

*Resolved*, That in the opinion of the City Council it is expedient to extend Washington street during the present municipal year, at a width of sixty feet, and under the betterment law, from Cornhill to Haymarket square, and to extend Portland street at a width of about fifty feet, from Hanover street, to connect with the extension of Washington street, at or near Elm street.

Alderman Baldwin moved to lay the resolve on the table. The chairman of the Committee on Streets had not made a report on the subject, and there are many persons who are signing petitions who would like to have a hearing on the subject. He hoped such a hearing would be given, and that the public opinion in relation to the route to be taken in the extension of Washington street may be ascertained.

Alderman Richards said the gentleman had changed fronts quickly. After advocating his project to the fullest extent and being defeated, he now talked of getting up petitions. It seemed to him that it was time to be doing something on this subject. The Committee on Streets would have something to act upon by the passage of this resolve, and he hoped the motion to lay on the table would not prevail.

Alderman Baldwin said he made the motion because there were many gentlemen who would like to be heard on the subject.

Alderman Bradlee contended that there should be no more delay on the subject. The delay had already prevented the carrying on of the work of widening of Hanover street. The resolve must yet go to the Council, and there perhaps be referred to a committee, then to be discussed. So far as a hearing was concerned, the matter had been extensively discussed in the public prints. A hearing had taken place on the subject for many days, if he recollected right, and much attention had been given personally and by members of the Committee.

The motion to lay the subject on the table and allow a hearing, was lost.

Alderman Rice said he did not understand why the Alderman in his order made a distinction in the widening of the Portland street extension to Washington street by making it less than the Washington street extension. The only reason he could conceive of was an object to belittle the Portstreet extension. He moved to amend the resolve by providing that the extension of Portland street shall be sixty feet.

The amendment was rejected.

Alderman Talbot said he supposed there was no doubt in the minds of those who had followed this matter that the preponderance of property was in favor of the Haymarket square route by almost uncounted millions. Whatever may be said about Tremont street, Washington street is and must continue to be the backbone of the city, beginning and ending as it does in a dense population. In regard to the widening of streets his idea had been never to force these in advance of public opinion, or to make such improvements altogether with a view to future growth in a certain direction. He believed the time had now come for extending Washington street, and that the necessities of business and travel pointed out the Haymarket square route as the one to be taken. The form in which the resolve now before the Board was put he believed to be the best one. This will require that it shall go to the Council, while the other for the Portland street route only contemplated the action of the Board of Aldermen. If the citizens desire this extension it should be made, while he would not favor it if they did not. In the hearings before the Committee it appeared that there were about as many passengers from the Eastern and Lowell railroads as from the other roads whose passengers pass through Haymarket square.

Alderman Van Nostrand wished to be excused from voting on the resolve, giving as his reasons that he preferred to have the matter postponed to another year, the city having now about as much in the way of improvements as can be taken care of.

Alderman Hawes explained as his position, that having been in favor of the Portland street route, which has been defeated, he should go in favor of the other route.

The request of Alderman Van Nostrand to be excused from voting, was refused.

The resolve of Alderman White was passed, by a vote of 10 to 2, as follows:

Yeas—Bradlee, Fairbanks, Hawes, James, Pratt, Richards, Seaver, Talbot, Van Nostrand, White.

Nays—Baldwin, Rice.

Alderman White subsequently moved the reconsideration of the passage of the resolve, and on reconsideration, it was amended to provide for the widening of the extension of Portland street from Hanover street to Washington street, to *sixty* feet.

The other orders offered by Alderman Rice at the last meeting, relative to widening Dock square and Sudbury street, on motion of that gentleman were laid on the table.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, made a report revoking the license of R. F. Payrow as an innholder, Nos. 108 and 110 Union street. Accepted.

Alderman White reported in favor of licenses to J. B. Booth for the Boston Theatre and for the Olympic Theatre, and to W. H. Lingard to give dramatic and musical entertainments at the Adelphi Theatre. Severally accepted.

Alderman White, from the same Committee, reported in favor of sundry licenses for wagon stands, transfers of wagon licenses, and licenses to pawnbrokers, innholders, intelligence offices and billiard saloons. Severally accepted.

Alderman White, from the Committee on Health, reported no further action required on petition of James Bacon and others against the erection of a stable by John Foster on Piedmont street; and no further action required on petition of M. W. Ward and others for an abatement of a nuisance on Heath place. Severally accepted.

Alderman White also reported in favor of petition of A. A. Hall for leave to erect a stable in Piedmont street; of S. A. Way for leave to erect a stable in Lyman street; and of D. D. Fisk for leave to erect a stable in Second street. Severally accepted.

Alderman Richards, from the Committee on Fire Department, to whom was referred the petition of A. M. Stetson and others, for an additional steam fire engine in South Boston, in the vicinity of C and E streets, having considered the subject, reported that they are unanimously of the opinion that an engine should be located in the district designated by the petitioners, and they therefore recommend the passage of the following order:

Ordered, That the Chief Engineer of the Fire Department be and he is hereby directed to place the new steam fire engine contracted for by an order of the Board of Aldermen passed May 10, 1869, in the building now occupied in part by Hose Co. No. 10, until a new building is erected in the vicinity of C and E streets.

Read twice and passed.

Alderman Talbot, from the Committee on Claims, on the petition of Solomon B. and Mary M. Morse, to be compensated for personal injuries received by said Mary M. Morse on account of an alleged defect in Webster street, recommended the passage of the accompanying order.

Ordered, That there be allowed and paid to Solomon B. and Mary M. Morse the sum of $1000, in full compensation for personal injuries received by said Mary M. Morse on the 7th day of March, 1869, on account of an alleged defect in Webster street, said Solomon B. and Mary M. Morse to give a release satisfactory to the City Solicitor for all damages, costs and expenses on account of said injuries growing out of said alleged defect.

Read twice and passed.

Alderman Talbot, of the same Committee, to whom was referred the petition of T. Warren Gould, to be compensated for personal injuries received on account of an alleged defect in Court street, made a report recommending that the petitioner have leave to withdraw. Accepted.

Alderman Talbot, from the Committe on Streets, reported a resolve and order for the widening of

Hanover street, between Blackstone and Commercial streets. Read once.

Alderman Bradlee, from the Committee on Ordinances, reported an ordinance to amend the ordinance in relation to finance. The ordinance was read twice and passed, and provides as follows.

Section 1. The ordinance in relation to finance, printed in the edition of laws and ordinances of the year eighteen hundred and sixty-three, is hereby amended, by inserting after the word "May," in the first line of the second section, the words "or June"; also by inserting after the word "city," in the sixth line of the ninth section, the words "all receipts in money on account of assessments for benefit or advantage to estates by reason of the laying out, widening, discontinuance, change of grade or other alteration of streets"; also by striking out, in the fifteenth section, all after the word "due," in the twentieth line; also by adding to said ordinance the following section:

"Sect. 17. Whenever the City Treasurer shall be authorized by the City Council to borrow money and give certificates of indebtedness therefor, such certificates shall be signed by the Mayor, the City Treasurer and the Auditor of Accounts; and the said certificates shall be registered in the offices of the City Treasurer and the Auditor of Accounts."

Alderman Bradlee also reported amendments to Ordinances relating to Public Institutions, Mount Hope Cemetery, and the City Hospital. These amendments were passed, providing for a change in the organization of the Board of Directors for Public Institutions, the Board of Trustees of Mount Hope Cemetery, and the Board of Trustees of the City Hospital, to correspond to the organization of the Water Board, as recommended and explained in City Document number seventy-one.

The Committee state that in order to carry out the plan for a uniform organization of the several Boards having charge of Departments of the City Government, it is necessary to provide for an enlargement of the Board of Trustees for Mount Hope Cemetery. Under the present organization the Board is composed of one member of the Board of Aldermen, two members of the Council, and two persons elected from the citizens at large. This is the only Board where the representatives from the City Council constitute a majority. The change recommended by the Committee will give two additional members from the citizens at large, making the whole number seven, namely, four at large, and three from the City Council.

The same committee reported an ordinance, which was also passed, in relation to the manufacture, storage and sale of petroleum and its products. The committee state that the ordinance has been carefully prepared, in accordance with the provisions of chapter 152, and chapter 345, of the acts of the year 1869, copies of which chapters are appended to the report.

ORDERS OF NOTICE.

On the petition of R. Presby & Co., for leave to erect a stable for sixteen horses on Sixth street. Hearing Monday, September 13, 4 P. M.

On the proposed construction of a sewer on Sixth street, between C and D streets. Hearing Monday, September 13, 4 P. M.

On the proposed assessment of damages by the widening of Tremont street, to estates from Boylston streets to Seaver place. Hearing Monday, September 20, 4 P. M.

On the proposed change in the line of Heath street, and on the discontinuance of a portion of Heath street. Hearing Monday, September 20, 4 P. M.

On the intention of the Board to proceed under the act for the construction of drains on Fort Hill and for the reduction of grade. Hearing Monday, September 20, 4 P. M.

COURTESIES TO THE HARVARD BOAT CLUB.

On motion of Alderman Baldwin, it was

Ordered, That Aldermen Baldwin and Bradlee, with such as the Common Council may join, be appointed a committee to extend in behalf of the City Council such courtesies to the Harvard Boat Club on their return to this city as said committee with the concurrence of His Honor the Mayor may deem expedient, any expense attending the same to be charged to the appropriation for Incidental Expenses.

ORDERS PASSED.

On motion of Alderman Richards,

Ordered, That the Chief Engineer, under the direction of the Committee on the Fire Department, be and he is hereby authorized to contract for two steam fire engines and hose carriages, at an expense not exceeding $9000, the same to be charged to the appropriation for the Fire Department.

On motion of Alderman Fairbanks,

Ordered, That the following changes be made in assessments for sewers, viz:

On F street, abating $117 66 from Clark & Leatherbee and assessing the amount upon Geo. W. Bowker; abating $19 62 from S. A. Way and assessing the amount upon Daniel Simpson; abating $52 98 from Wm. Mertzer's heirs and assessing the amount upon M. F. Wells.

On Old Harbor street, abating $30 82 from Wright & Wilson, trustees, and assessing the amount upon Geo. F Pond.

On Ward street, abating $37 95 from Henry E. Bradlee and assessing $20 72 upon Christopher Gifford and $17 23 upon Mary A. Gates.

On Blossom street, abating $6 54 from John C. Newton and assessing the amount upon John Capen.

On motion of Alderman Talbot,

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized, in the settlement of damages occasioned by the widening and grading of Purchase street, to purchase the estate of Mary Ellen Sullivan, wife of Barry Sullivan, for a sum not exceeding $7000, the same to be charged to the Fort Hill improvement loan.

On motion of Alderman White, an order was passed to abate nuisances in Trenton, Gates and Eighth streets.

Orders were passed giving notices to quit to the Rowe's Wharf Corporation, on the line of junction of Atlantic avenue with Broad street, on or before 1st October.

Notices to quit were also passed to Nathaniel Whiting, heirs of Wm. Foster and numerous others interested in parcels of land situated on Fort Hill, to vacate the premises and remove the buildings on the line of reduction of grade on said Fort Hill on or before the 1st October next.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## SEPTEMBER 9, 1869.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Wm G. Harris, the President, in the Chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The Auditor's Exhibit, Sept. 1, City Document 84, 1869, was ordered to be placed on file.

The petitions of James Sands, for compensation for injuries to his horse by an alleged defect in Beacon street, and of Harriet Parmelee, for repayment of instalment on land paid by her late husband, Ashley Parmelee, were referred in concurrence.

The report leave to withdraw on the petition of T. G. Gould, to be compensated for injuries received on account of a defect in Court street, was accepted in concurrence.

The report granting $1000 to S. B. and M. M Morse, for personal injuries caused to the latter from a fall in Webster street, being under consideration.

Mr. Jenks of Ward Three inquired if the report had been referred to the Committee on Claims?

The Chair replied that it came from that Committee.

The order was read once.

The following order and ordinances were severally read once:

Order authorizing the purchase of the estate of M. E. Sullivan, at an expense not exceeding $7000, in settlement of damages from the widening and grading of Purchase street.

An ordinance in relation to the manufacture, storeage and sale of petroleum and its products. City Doc. 82.

An ordinance to amend an ordinance in relation to public institutions, in the same document with an ordinance to amend an ordinance in relation to Mount Hope Cemetery, and an ordinance to amend an ordinance relating to the City Hospital, was read twice, when the further consideration was postponed to the next meeting.

An ordinance to amend an ordinance in relation to finance, City Doc. 83, was read twice and passed.

EXTENSION OF WASHINGTON STREET.

The resolve that it is expedient to extend Washington street from Cornhill to Haymarket square, and Portland street from Hanover street, to connect at or near Elm street with the extension of Washington street, was considered.

Mr. Keith of Ward Fifteen said this resolution came to the Council in an unusual form. The city charter provides that the Board of Aldermen shall exercise the duties of county commissioners in the laying out of streets. It has been customary with that Board to determine what the public good requires in the laying out and widening of streets, and when the taking is made, and the estimates are ascertained of the cost of the proposed work, and the order is passed, to come to the Council for action on the subject. The course then has been to refer the measure to the Committee on Streets for information and then to act upon their report. Instead of that, this resolve is simply that it is expedient to do the act of extension, and requires only a majority vote to pass it, while the passage of an order to take land for the extension of a street requires a two-thirds vote. He had been as uniformly in favor of a wise and liberal policy in the laying out and extension of streets as any member of the Council, where large expenditures shall prove to be beneficial in an equal degree to the outlay, and in making the expenditures all parts of the city are entitled to be remembered. One portion of the city is not to be disregarded while millions of dollars are to be expended in other portions. For two years little or nothing has been expended on the streets in the Highlands, whose extent is thirty-eight miles, embracing a territory two-thirds of that of the city.

The only extension of a street in that section of the city had been the extension of Vernon street 300 feet over vacant land, to be filled with ashes. At the rate it is going on it will take three years for its completion. On one other street and the only avenue, Warren avenue, $3000 had been expended, and the gravel would more than pay for the work. Last year and this numerous petitions had been presented for the extension of Shawmut avenue and Albany street, but not the first thing had been done towards the extension of avenues so important to that section of the city. That section had no representative in the other Board, but he did not know whether or not it was on that account. One of the strongest arguments in favor of the annexation of Roxbury to Boston was that the city might lay out with reference to the future wants of the city some great avenues. Expenditures for such avenues are needed and not the expenditure of a million dollars to get a few feet of land It was well to see what large outlays are made at this moment. The Atlantic avenue will cost $1,200,000; the widening of Federal street $300,000; Broadway extension is estimated at $500,000; Tremont street and Hanover street $500,000 each. And now the Board of Aldermen comes for half a million more for the completion of Hanover street.

Whether Washington street should be extended or not, they should complete the work which had already been begun. Hanover street had been widened at a cost of half a million of dollars, and yet no relief had been obtained from crowded streets. Naturally, most of the travel would tend to Chelsea ferry, and Hanover street should be completed before this work is commenced. It will be time enough to carry out the proposed work when it is ascertained whether the large expenditures are overcome by the benefits. It is not the part of wisdom to extend Washington street at the same time. Eliot street must also be widened, at an expense of half a million of dollars. Two, or one of such projects, is as much as the Council should be called upon to provide for the present year. And in the disbursement of such favors, the Highlands should come in for its share. He therefore moved that the resolve be referred to the next City Government.

Mr. Osborn of Ward Six said he was not prepared to go into an argument upon the extension of Washington street. He thought, however, it was hardly fair to have this subject postponed to next year. The owners of property on Hanover street were called upon months ago to quit their premises, in view of the widening of Hanover street. They were unable to make leases or to rent their property to advantage. He hoped the City Government would grapple with this question, and decide whether Washington street should be extended or not, and thus not prolong the injustice which could not be avoided heretofore. He had found no opposition to the extension among the citizens, who heartily believe in carrying out the work.

Mr. Harris of Ward Eleven (Mr. Denny of Ward Ten in the chair), said he hoped we should meet this question on its merits. It had met with much consideration by previous city governments, was postponed on the opening of New Friend street, and he feared if it was now postponed it would be to an indefinite period and great injustice would be done to the owners of property in that section of the city. He had long been familiar with that portion of the city, doing business in its vicinity, and he knew the necessity of carrying out the proposed improvement. So far as objection was made that the Highlands had been neglected, by an act of the last Legislature the city was authorized to take such lands as may be necessary for new streets or for the extension or widening of streets without being obliged to pay for the land in taking it. Then when parties build they will be required to conform to the lines of laying out said streets. The people of the Highlands may avail themselves of this act, and he would take it upon himself to say that the City Government will do all that is necessary for the laying out and extension of new streets in that section of the city.

Shawmut avenue should be opened, and Albany street should be extended, but if the Highlands did not get all they were entitled to, it was no reason why the northern portion of the city should be neglected. The North End had been left without improvement in streets by reason of non-action. Point to any improvements in streets in in that section, and then look to the South and

West Ends, and see what broad avenues and streets had been laid out. If justice had not been done to the Highlands, that was no reason why injustice should be done to the North End. Such a course of action as is proposed may be the underlying action relied upon to defeat the measure, by those who are not satisfied with the proposed route of extension. He hoped if any one was opposed to it that he would go against it, not in its details, but openly. If it was for local or private ends, he should hesitate in the matter. But it was demanded for the public good, and it was for the interest of every one doing business in that section of the city.

The increasing business of the railroads in that section of the city demands this improvement. They have no direct avenue to the principal streets of this city. He avowed himself in favor of Haymarket square, as the central point of distribution to the several depots in that section of the city. He should regret delay in this matter, as hazarding the success of the measure, and hoped the motion to refer to the next City Government would not prevail.

Mr. Snow of Ward Eleven said he found himself somewhat in perplexity on this subject, for he had held himself entirely uncommitted on the subject. He was, however, decidedly in favor of the Haymarket square route as the preferable one.

In the present state of the question he looked upon the resolve as both in favor of the Haymarket square route and the Portland street route, and if the resolve should pass, believed the Council would be committed to the passage of a measure in favor of Portland street as well as Haymarket square. There had been no information given as to the cost, or where we are coming out if we enter on the undertaking. The City Government had adopted a mania for the extension of streets.

The construction of Atlantic avenue, the widening of Tremont and Federal streets, and the extension of Broadway, has become a habit of widening all streets under the betterment law, the full effect and benefit of which is by no means certain. It has not been tested in any such way as to show its benefit. Those improvements should be completed before entering on new projects. We should wait and see the effect of widening of Hanover street, which is but the continuation of Tremont street. We should wait also to see the effect of widening the lower part of Hanover street. He was glad that the question had come up for putting over the project for six months, and no harm could come of such delay.

Mr. Ingalls, of Ward Twelve, said he could not say with the gentleman from Ward Eleven, that he was in a perplexed condition, for he was not in doubt. He thought, however, that the matter would take the usual course, and that the subject would be considered with all diligence by the Committee on Streets, and reported to the Council for its action. It was in one sense more favorable than in the usual form. It could be considered and amended, and he believed that the Council should always have concurrent action in the widening and extension of streets. It should go to the Committee of the Council, in whom he had confidence. He had had occasion to differ with that committee but once. He had heard it said that no report had been made on the subject. He hoped the Committee would go over the subject and report upon it. If the matter should be postponed, he believed it would be unjust. He was frank enough to say that if he must now vote on the subject, he should favor the Haymarket square route. He moved as a substitute for the motion under consideration, that the subject be referred to the Committee on Streets.

Mr. Wadsworth of Ward Four said he was in favor of the motion of the gentleman from Ward Twelve. The Council should have information on the subject, and he considered it unfair that the Board of Aldermen had not given information on the subject. They sent it here without any information, and while he agreed that the Council should have concurrent jurisdiction on the subject, the subject should be sent to the Committee for the information needed. In reference to the streets in the Highlands, as had been said, the Legislature made provisions for the laying out of the streets in that section. The Board of Aldermen under that act were engaged in making a survey of all the streets in that territory, and will act upon it understandingly when those surveys are completed.

Mr. Judson of Ward Fourteen said he had been favorable to the extension of Washington street, and while it had been said that there was a mania for the widening of streets, it was clear that there should have been such a mania years ago. Boston had long suffered on account of its crooked streets, and strangers could not find their way through those streets. He agreed with his friend from Ward Fifteen, that some of the streets in the Highlands should have been extended, and felt sorely on the subject, but he did not think it worth while to come here and vote against this measure out of spite. He did not believe in postponing the subject any longer, for if the extension is not made this year, it must be next year, and the longer it is delayed the more expensive it will be.

Mr. Wells of Ward Three said the gentleman from Ward Fourteen did not know what he was talking about. He would like to know how the gentleman would direct a man to the foot of Summer street from Washington street, extended to Haymarket square. If Washington street was to be extended, that would not be the best route. He was opposed, however, to more appropriations for widening and extending streets. He had been a member of the Council for six years, and never saw such reckless expenditure of money. Several of the projects are now but half done. The extension of Broadway is half on one side of the river and half on the other, and now it is proposed to raise the buildings on Broadway as far as the church. That is a new project which was not in the programme when first determined upon, and it will cost a large sum more. If Broadway is to be extended it should be extended to Pleasant street, when it will form a direct avenue across the city to Charles street.

Mr. Keith of Ward Fifteen said he wished to reply to some of the remarks which had been made. So far as related to streets on new lands, the action proposed under the act of the Legislature was well enough. But what he desired was that the main avenues shall be extended. These avenues were in sections where the property was increasing in value very rapidly, and the cost is increasing on account of the delay. Reference was made to the laying out of streets in the Highlands. Surveys were made for that purpose many years ago, and those surveys are now in the office of the City Surveyor.

Mr. Wadsworth said those surveys were not accurate.

Mr. Keith denied that these plans were inaccurate, and claimed for that section as desiring only that which was fair, just, proper and equal. He asked whether they were to remain in that condition of being out in the cold. It looked as though it was designed to show injustice towards them. They had no representative in the other Board, and when they asked for an amendment of the city charter, to secure one Alderman for each Ward, it was objected to. The gentleman had spoken of injustice to the North End. Had the North End complained of injustice by the people of the Highlands? He had yet to learn that the North End had urged this measure, or that it would be of any benefit to them.

Mr. Keith doubted whether any benefit could be realized by the betterment law. He wished any one to lay a hand on the identical lot which would be bettered. The street would be cut into a honeycomb. If so, he wished to know where they were to get the betterments. By law, courts had held that where a man was injured by his neighbor in an indirect manner, he could not recover damage. The betterment law was wise and good when it was legitimate. When the Board of Aldermen go beyond the direct line of the street for the betterment, they will find they cannot get it if it is contested. With so many other matters on hand, it would be as well to refer this to the next City Government. There was no such urgent necessity for the measure, and there would be no great saving by the postponement. The property in that vicinity has shown little or no change for a number of years. With the widening of Hanover street to Commercial street and the completion of Atlantic avenue, there may be shown no necessity for the extension of Washington street. His friend from Ward Fourteen had spoken of shirking responsibility. He was not shirking, but simply saying that other measures were as urgent and should be attended to before this is undertaken.

Mr. Ingalls of Ward Twelve, in reply to what

was said in relation to betterments, said, while it was true in regard to the principle assumed by the gentleman from Ward Fifteen, he must remember that the common law is changed by statue law. By the betterment law of the last session of the Legislature authority was given to assess betterment upon property not on the line of the street upon which the improvement was made. And he did not fear as to the collection of betterment.

Mr. Jenks wished to know if he was not aware that the property owners on High street refused to pay betterments.

Mr. Ingalls replied that it might have been so, but that did not show that they would not be obliged to pay it. Judge Curtis, it is understood, drew up the betterment law, and knew that it will hold all it is designed to act upon in the way of betterment.

Mr. Jenks wished to ask if Judge Curtis is the Supreme Court of Massachusetts?

Mr. Ingalls said he was not, and if the gentleman would come to his office and wished to obtain information he would tell him how the Supreme Court of Massachusetts is constituted.

Mr. Wells of Ward Three inquired if the Boston & Maine Railroad Company had not refused to pay any betterment. As their attorney, he ought to know.

Mr. Ingalls said he had been their attorney and had informed that gentleman of the fact. He was not now their attorney, and would give him to understand that holding such a position would not prevent him from acting as a citizen should do between the city and such a corporation. He repelled the insinuation as mean, ungenerous and ungentlemanly, and he might charge, but he scorned to, that some individuals were in favor of the Portland street route because they held property on such route.

Mr. Ingalls, resuming his argument, remarked that it had been said this was for the benefit of the North End. This was not for the North End merely, but for the whole public. So far as relates to the streets in the Highlands, their improvement would be provided for. The gentleman from Ward Fifteen had spoken of being left out in the cold in the Board of Aldermen, but if the citizens of that section would but make as good selection in the nomination of candidates for the Board as they had for the Council, they would have no reason to complain of being left out in the cold.

Mr. Harris said he was sorry there was an attempt to make capital out of the action of the other branch. They might have come to the Council with an order, which they must assent to or not, instead of which they come and ask the Council to act with them. Could anything be fairer? They had been courteous and kind, and should have been received in the same manner. One gentleman had said the expenditures of the present City Government had been reckless. He was surprised at such a remark. It had been his privilege to sit and listen to their action, which had been deliberate and just. There was not one of all the measures of the year for the widening or extension of streets but what he would have voted for cheerfully. Instead of being reckless, the people are represented in their acts, and do not wish to have them hold back in all necessary improvements. Boston is not what it was ten years ago. It is on its onward march, has increased largely its territory and people, and is ready to take many more. He did not think it necessary to discuss the two routes proposed. He had long known the wants and disadvantages of the North End. The improvements proposed were but as a drop in the bucket of what were needed. They needed pure air and the light of heaven, and by no other way could it be done except by the widening and extension of streets. He hoped the motion for a reference to the Committee would prevail. It would not promote the purposes intended if the subject was postponed to another year.

Mr. Wadsworth of Ward Four said if we were in favor of this project or not, it was right and proper that the subject should be referred to the Committee, to obtain information. It was not worth while to object that it would put labor on that Committee. That was what the Committee was for, and until they complained the Council should not be troubled about it. He hoped the matter would go to the Committee.

The motion to refer to the Committee was carried.

The order appointing a committee, to be joined, to extend the courtesies of the city to the Harvard Boat Club on their return to Boston being under consideration,

Mr. Denny of Ward Ten said he did not consider the subject as a matter requiring the extension of courtesies by the City Government. He did not wish to reflect on any action of the Club in going to Europe; it was only a question of propriety whether this action should be taken. He did not think it called for official action. If action should be taken as individuals, no objection could be made to it.

Mr. Wadsworth agreed with the gentleman that there was no occasion for action of the City Government. He felt pride as others did in those gentlemen, and was willing to honor them in any way which was becoming and proper.

The order was read twice and passed by a vote of 19 to 15. Messrs. Gray of Ward Twelve, Wells of Ward Three and Braman of Ward Six, with the President added, were appointed the committee.

The order accepting an invitation to the Humboldt Festival, and appointing a committee, to be joined, to represent the city on the occasion, was concurred in, and Messrs. Hopkins, of Ward Ten, Cole, of Ward Five, and Bond, of Ward Eight, were appointed the committee, to which the President was added.

The non-concurrence in the amendment of this Council to the ordinance to amend an ordinance in relation to the Fire Department, City Document 74, came up, the question being upon receding, and concurring with the Board of Aldermen.

Mr. Wells of Ward Three said he labored under a misapprehension in his vote last week for the amendment. He thought it was designed that the fine should be paid into the city treasury, but found that it went into a fund, which was equally divided for the benefit of all the firemen, so that those who were not fined derived an advantage from those who were absent.

Mr. Osborn said he so stated the matter when the amendment was made.

The Council voted to recede from the amendment and concur with the Board of Aldermen.

The non-concurrence in the amendment of the Common Council to the order to pay Charles R. Train for services relative to the annexation of Dorchester was again considered.

Mr. Keith of Ward Fifteen said he desired to state one fact in this connection. The bill of Mr. Harris, employed to oppose annexation, was $1000, and the bill was paid by the County Commissioners without hesitation. He did not, therefore, think it was becoming in the City of Boston to refuse to pay a bill which was no larger than one approved by the County Commissioners.

Mr. Jacobs of Ward Five advocated the bill as a just one.

Mr. Jenks of Ward Three said Mr. Train performed but three hours' labor, and for that $500 was ample pay. An ex-judge of the Supreme Court received but $750 for much greater labor. And Mr. Train, as he stated at the last meeting, had written him a note in which he expressed himself as highly delighted at the action of the Council.

Mr. Keith considered it unfair that the gentleman should make such statements. If the gentleman had said Mr. Train's argument was but three hours, he might be right. Mr. Train had said before the Legislative Committee that the labor occupied him a month. Then again, in regard to the letter which was written to the gentleman. If he would read the letter, he was willing that it should have its effect without any comments. He was glad to see that the gentleman was looking for the letter.

Mr. Jenks said he was sorry that he could not find the letter. If the Council would allow the matter to lie over he would bring the letter and read it. The facts which Mr. Train used were got while he was acting as Commissioner, for which he was paid $500. He told the people of Dorchester if they wished annexation they must get up the case and find the witnesses.

Mr. Keith stated, in explanation, that the Commissioners were appointed to investigate the subject and report upon the expediency of annexation, while the labor of procuring annexation was of a different character.

Mr. Richards of Ward Eight stated that in regard to the time occupied, as a member of the Committee he attended five meetings, each of which was three hours in length. He thought the

city in honor bound to pay the bill. Mr. Train gave all the time required with his services.

The question was taken, and the Council receded and concurred with the Board of Aldermen.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Order taking the estate of Dennis Collins for the widening of Washington square.

Order taking the estate of William Doran for the purpose of widening Hamilton street.

The orders for the erection of a Primary School building on the city's land, at the corner of Church street and Fayette street, and for a loan of $41,000 to be applied thereto being on their passage, Mr. Snow of Ward Eleven stated that there were not members enough present to pass the orders, and moved their postponement for one week. Carried.

REPORTS OF COMMITTEES.

Mr. Osborn of Ward Six, from the Committee on Ordinances, reported an ordinance in relation to the Public Library. The only important alterations proposed in the ordinance are,

First. Reorganizing the Board of Trustees to conform to the other Boards elected by the City Council.

Second. Striking out the provision making it obligatory upon the Board of Trustees to appoint a librarian; and,

Third. Authorizing the Trustees to establish branch libraries in sections of the city distant from the central library, when appropriations are made for that purpose by the City Council.

Mr. Osborn said that although it was important that the revised ordinances should be acted upon as fast as possible, he was willing to let this lie over that members might become thoroughly familiar with it.

The ordinance was read once and laid over.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, who were requested to procure plans and estimates for a boiler house and coal shed to be located on the lot of land adjoining the Central Charity Bureau and Temporary Home on Chardon street, made a report that they have procured plans which have been approved by the Overseers of the Poor, and from the estimates which they have received, they find that it will cost $14,000 to erect the building and provide heating apparatus. They therefore recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to erect a boiler house and coal shed on the lot of land adjoining the Central Charity Bureau and Temporary Home on Chardon street, at a cost not exceeding $14,000, the said sum to be transferred from the Reserved Fund.

The order was read once.

Mr. Keith, from the Joint Standing Committee on Public Buildings, made a report representing that, during the almost unprecedented storm which visited the city on Wednesday evening last, and by which a very large amount of property was destroyed, the new Normal School building, in process of erection on Newton and Pembroke street, was seriously injured, the walls and floors being partially thrown down or bent out of shape.

The work performed by the contractors up to that time had given the most entire satisfaction to the committee; and they are convinced that it would have been impossible for any building, in the same stage of construction, and exposed in the same manner, to withstand such a fierce hurricane.

While the contractors might perhaps be legally held to repair the damage, although caused by a power beyond their control, the committee are of the opinion that they should not under the circumstances be strictly held to the letter of their contracts, but that the city should restore the building to the same condition, substantially, that it was in before the casualty happened, and they would therefore respectfully recommend the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to repair the damages to the Normal School building on Newton and Pembroke streets, caused by the hurricane on Wednesday, Sept. 8, the expense therefor to be charged to the appropriation for grammar schools. Public Buildings.

Mr. Hall of Ward One said he liked the spirit of the order, but was of the opinion that an estimate of the approximate amount of the cost of repairs should have been given.

Mr. Keith said it would be almost impossible to estimate the damage to the building in its present condition. The contractor has done all within his power to fulfil his contract, and has done his work in the most substantial manner in which it can be done. This action of the storm was the work of God and not of man, and he could not be held responsible for it.

Mr. Hall repeated that he agreed in spirit with the report, but thought that the cost might be estimated to some extent.

Mr. Keith replied that it was the design in the repairs to keep an account of the items, and ascertain in that manner what the expense will be.

Mr. Wadsworth of Ward Four thought it would be useless for the city to make contracts if parties were not to be held to them. If contractors make a gain by their contracts, it is all right, but if they lose, the city is expected to make up the loss.

Mr. Keith said that in ordinary cases where parties are responsible for neglect or injury, they should be held to the contract, but in this case, in a matter which could not be foreseen, it would be a great hardship, and would ruin the contractor if he was required to repair the damages at his expense.

The order was read a second time and passed.

Mr. Keith, from the same committee, who were directed to report what disposition should be made of the buildings owned by the city on Fort Hill, after a consideration of the subject, made the following report:

The committee find that the removal of many dwellings on Fort Hill has greatly diminished the population, and consequently the attendance at the public schools in that locality. The number of scholars now attending is considerably below the average, and the decrease will continue as the neighborhood is gradually occupied for business purposes, so that probably, at no distant period, the attendance will cease altogether. A corresponding increase is observed in other localities, especially in South Boston, where there is a continual demand for new school accommodations, and this led the committee to consider the propriety of attempting the removal of the buildings, now under consideration, to those places where they are most needed. They find, however, that this is only practicable in one instance, that of the May Primary Schoolhouse, which being a modern house, can be easily taken down, removed and rebuilt, answering all the purposes of a new house and costing much less. The committee would therefore recommend that when a site shall be provided for a primary schoolhouse, they be authorized to remove the May Primary Schoolhouse to that site, and to dispose of the remaining buildings on Fort Hill, consisting of a Grammar and a Primary schoolhouse, at public auction.

Pending the reading of this report, no quorum being present, the Council adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

### SEPTEMBER 11, 1869.

A special meeting of the Board of Aldermen was held at 12½ o'clock, today, Mayor Shurtleff presiding.

Alderman James offered the following order:

Ordered, That the special committee appointed to represent the City Government at the Humboldt Celebration on the 14th inst., be authorized to expend a sum not exceeding $1500 in providing a proper representation of the city on that occasion, said sum to be charged to the appropriation for incidental expenses.

Alderman Talbot inquired for the reasons for this appropriation.

Alderman James said he did not know of the necessity of the measure not being present at the meeting of the committee, and referred to Alderman Bradlee.

Alderman Bradlee said the facts were these: When he offered the order at the meeting of the Board of Aldermen on Monday he did not suppose there would be a necessity for the expenditure of money, believing it only required the acceptance of this invitation to be present at the celebration. When the Committee on the Celebration came together, yesterday, it was found that it was thought desirable to have a levee in the evening, and as there was no money in the hands of the Committee on the Humboldt Celebration for such an expense, the proceeds from the sale of tickets being devoted to founding a Humboldt scholarship in Harvard College, it was suggested that they should come before the City Government to aid in carrying out this proposed part of the celebration. His opinion was against all such appropriations, and only on the ground of custom was it called for.

Alderman Talbot said he was astonished at the turn which this matter had taken. He supposed it was necessary only to accept the invitation, and was sorry that the matter had come here at all. He was opposed to such appropriations, and as the Germans were to have a celebration, he did not know but what they might come here also for aid.

Alderman Pratt said the order came up here now simply because it was left out of the original order. Some of the most eminent scientific men of the country were to be present, and it would be in bad taste to refuse to make the appropriation. The city had been in the habit of making appropriations of this kind, and had recently voted an appropriation to entertain a meeting of the Scientific Association in the city of Salem.

Alderman Talbot said he did not understand that there would be many scientific men from abroad at this celebration, for there would be celebrations elsewhere. He was sorry he did not vote against the entertainment to the Harvard Boat Club, which he should do if it were to come up now.

Alderman Pratt thought the gentleman should not take too much credit in relation to the Boat Club. Were the matter to come up now, he did not believe it would receive a vote in the Board. ut this matter was of a different character. There was not a case of the kind in which the city government had refused to make an appropriation.

The order was passed.

Alderman Seaver offered the following:

Ordered, That the rules and regulations for the government of the Boston Police be and the same are hereby amended by striking out so much as relates to the Superintendent of Carriages and the Superintendent of Trucks; also by striking out the first section in the Appendix, and inserting in place thereof the following:

Section 1. The Chief-of-Police, the Deputy Chief, the Captains and Lieutenants of Police shall wear a dark blue frock coat, with two rows of police buttons, dark blue trousers, dark blue vest, and a blue cloth cap, like the pattern at the Chief's office. Sergeants and patrolmen shall wear a dark blue sack frock coat with one row of police buttons, dark blue trousers, dark blue vest, and police hat like the pattern at the Chief's office. On public occasions, the Chief, Deputy Chief, Captains and Lieutenants may wear white vest, with police buttons. Laid over.

Alderman Pratt gave notice of certain amendments which he should offer when the subject came up.

A communication was received from the Chief of Police, stating that a wall adjacent to the depot of the Hartford & Erie Railroad was in an unsafe condition, and should be declared a nuisance. Referred to Committee on Police.

A petition was received from Michael Monroe that the line of B street, at No. 78, be defined. Referred to the Committee on Streets.

Adjourned.

## Proceedings of the Common Council,

### SEPTEMBER 11, 1869.

A special meeting of the Common Council was held at 1 o'clock, this afternoon, Wm. G. Harris, the President in the chair.

The President read the communication of the Mayor calling the Council together, when the communication was ordered to be placed on file.

The order from the Board of Aldermen relative to the Humboldt Celebration was read and considered.

Mr. Hopkins of Ward Ten stated in explanation that when the Committee on the Humboldt Celebration came together, a feeling was expressed that some measures should be taken to pay respect to such eminent persons as may be present. Much interest is taken by merchants in the matter of a scholarship to the honor of the memory of Humboldt. As it had been customary in such cases to vote appropriations and for that reason the committee felt justified in coming before the City Council to make the appropriation called for.

Mr. Denny of Ward Ten, said he did not know what it was expected the Council was to do when he came into the hall. He had before him the record of the Board of Aldermen relative to the acceptance of the invitation of the Committee on the Humboldt celebration, which was to take seats on the platform. That was all that was supposed to be contemplated when the invitation was accepted; but it appeared that the Committee on the Festival had a different design, and this appropriation was for the purpose of carrying out that design.

Mr. Wadsworth, of Ward Four, declared himself as opposed to such appropriations. There was no convention to carry out the celebration, as had been stated, but the celebration was originated by the Boston Society of Natural History. He could not see why there should be any expense attending the mere acceptance of an invitation to hear an address by Prof. Aggasiz. If it was desirable to appropriate $1500, he hoped it would be voted outright for the Humboldt scholarships, and not for a dinner. He should vote against this appropriation.

Mr. Hopkins replied that in consideration for what the Natural History Society had done, in inviting the public school teachers to their lectures, the Council should show some respect to their wishes in aiding in the festival.

Mr. Denny further explained the occasion for this call for an appropriation. It was claimed that many precedents could be cited for such appropriations, and such appropriations he thought had gone too far. Perhaps this was not the right place to stop, but such appropriations should be stopped. In this case, the difficulty had arisen from an unfortunate wording of the communication of the Committee on the Humboldt Celebration. It was not the intention of the chairman of the committee simply to invite a delegation from the City Government to take seats on the platform. It was thought that the city should extend its hospitalities to such eminent persons as might be present on the occasion, but unfortunately the invitation did not express that wish of the committee. This statement he had made because he had thought it right and proper that the Council

should know why the request was made now, after the invitation had been accepted.

Mr. Snow of Ward Eleven said he did not suppose the celebration was to occupy more than a single day, and could not understand what entertainment was contemplated.

Mr. Hopkins stated that it was understood there would be a levee in the evening in some hall, and it was thought desirable there should be a slight collation.

Mr. Wadsworth said if appropriations were to be made on account of some Society, the Council should serve them all alike, for there were many other Societies. A standing order should be passed to meet all such cases. In regard to the invitations of school teachers to the Natural History Society's lectures, he supposed they were from a motive of public benefit, but if they were to be paid for them in this way, it would take away most of the credit accorded for the act.

Mr. Ingalls of Ward Twelve arraigned the consistency of the gentleman from Ward Four in having with much eloquence favored the thrusting of the hands of committees into the treasury in the case of the Peace Jubilee, without being held back. In the case of a worthy object for an exdenditure, he was opposed to granting aid.

Mr. Wadsworth said he had no recollections of using the language imputed to him.

Mr Ingalls explained that the language was his own, but the spirit of it was that of this gentleman.

Mr. Wadsworth said he did not care a snap for precedents, unless they were good ones.

Mr. Denny declared that he should vote for the appropriation, but he was opposed to appropriating the amount for a good dinner.

Mr. Judson of Ward Fourteen did not understand why the gentlemen should say they are opposed to such matters, and yet declare they shall vote for the appropriation. If the appropriation was a proper one, it should be voted, but not otherwise.

Mr. Jenks of Ward Three said this was his second year of service in the city government, and he found usually that when the people were about to open new accounts in the reëlection of members of the city government, there was a great pretence of regard for economy. At the commencement of the year the expenditures were very prodigal, but as we are nearing the close of the year there is more talk of economy. In his own judgment he would vote with a better relish for $25,000 for this purpose rather than ten cents for the so-called Peace Festival. He was ready to meet his constituents on the subject and had no fear of the result.

Mr. Hopkins stated in relation to the Natural History Society and what he said concerning their invitation to school teachers, the agreement was his own, and not that of the Society.

The order being on its passage under suspension of the rules,

Mr. Wadsworth moved to amend by providing that the amount appropriated shall be for the Humboldt scholarship in Harvard College.

The amendment was lost, and the order was passed in concurrence.

Adjourned to Thursday evening at 7½ o'clock.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## SEPTEMBER 13, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers, without pay—George H. McDonald, for Broadway Extension; Daniel E. Connor, for Lawrence and Mather schools; Benjamin White, at the Catholic Church, Sumner street. Weigher of Coal and Merchandise—Herbert Seaverns.

PETITIONS PRESENTED AND REFERRED.

School Committee, for accommodations for deaf mute school. Referred to Committee on Public Instruction.

Joseph M. Wightman, surrendering estate on Hanover street, at the corner of Battery street.

W. E. Whicher and others, for extension of Eustis street to Magazine street.

C. E. Jackson and others, that Hayward place be extended to Chauncy street.

Stephen M. Allen, that a suitable road be laid out by the city through lands on Reservoir park.

Severally referred to Committee on Streets.

Laban S. Beecher and others, for abatement of a nuisance on Tremont street, near Stony Brook sewer.

Isaac De Roo, for leave to keep a goat at 328 Ruggles street.

Severally referred to the Committee on Health.

C. G. Reynolds and others for a sewer in Kenilworth street.

J. H. Hathorne for improved drainage on Northampton street.

G. F. Burkhardt and others, for a sewer in Prentiss street.

Severally referred to the Committee on Sewers.

Hickey & Lalley and others, that the grade of Lenox street be raised.

Thos. Wise and others, that sidewalks be laid in C street, from Broadway to Second street, and in Third street, between B and D streets.

L. Prang & Co. and others, for the removal of the useless track of the Metropolitan Railroad Company on Washington street, between Eliot square and Pynchon street.

Jewett & Pitcher, that Eagle street be graded from Putnam street to Chelsea street.

W. H. Lingard, for leave to place a lamp post in sidewalk of Washington street, corner of Central place.

Severally referred to the Committee on Paving.

Elijah H. Goodwin to be compensated for services performed while acting as Captain of Harbor Police. Referred to Committee on the Police.

John McGill, to be paid for damages done to his house by the recent gale. Referred to Committee on Claims.

Daniel Cobb to be paid for damages done to his house, No. 367 Tremont street, by change of grade. Referred to Committee on Church Street Territory.

HORSE RAILROAD LOCATION.

A communication was received from the Metropolitan Railroad Company accepting the location on Harrison avenue, from Dover to Eustis street. Ordered to be placed on file.

NOTICES OF INTENTION TO BUILD.

S. H. L. Pierce, Dorchester, between Federal and Ellery streets, and on Ninth, between D and E streets; S. M. Allen, Shawmut avenue, beyond the city quarry; James O'Neil, 1100 Washington street, Louis Weisshein, corner of Washington and Bedford streets; Daniel Sweeney, Eighth street, between E and F streets; J. M. Marston, Taber street, between Winslow and Warren streets; F. B. Winter, 18 Derne street; W. H. Warner, Fourth street, between Dorchester and G streets; F. O. Clark, Gates street, near Dorchester street; Wm. Peard, Federal street, between Fifth and Sixth streets; N. Adams, Methodist church, Broadway; McDonald & Lawton, Yarmouth street, west of Columbus avenue; T. P. Briggs, 80 West Cedar street; J. J. Carney, Dove street, between Dorchester and F streets; Chas. P. Herrick, West Newton street, west of Columbus avenue; John P. Sexton, Ruggles street; D. E. Poland, 30 and 32 High street; J. H. Kelley, Franklin place, Highlands; Arnold W. Taylor, 129 Brighton street; Wm. Park, Broadway, between D and E streets.

Severally referred to the Committee on Streets.

DECLINATION AS A CITY LIQUOR AGENT.

The following communication was received:

*To the Mayor and Aldermen of the City of Boston:*

Having been notified by the City Clerk of my appointment as Liquor Agent for the city, I acknowledge with thanks the honor of the appointment, but must respectfully decline its acceptance, as the duties of the office would not be agreeable to me, and my business engagements demand all my time and attention. Respectfully,

JAMES S. MELVIN.

The communication was ordered to be placed on file, and the Mayor stated that he would take time in making another nomination.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the several orders of notice on the proposed laying out of Newland street as a public highway; on the petition of Rodney Presby & Co. for leave to erect a stable on Sixth street, between B and C streets; on the proposed extension of the sewer in Sixth street, between C and D streets; and on the order relative to the estimate of damages to the estates abutting on Tremont street occasioned by the widening of said street, also for the assessment of betterments upon the estates benefited, were severally taken up. No person appearing in either case, the several reports were recommitted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That there be paid to George C. Shattuck and N. J. Bradlee, trustees, $835, for land taken and damages occasioned by the widening of Cambridge street, by a resolve approved May 18th, 1869.

Ordered, That there be paid to George C. Shatruck (N. J. Bradlee, attorney,) $1935, for land taken and damages occasioned by the widening of Cambridge street, by a resolve of May 18, 1869.

WIDENING OF HANOVER STREET.

Resolved, That the safety and convenience of the inhabitants of the city require that Hanover street should be widened on its southeasterly side, between Blackstone and Commercial streets, to a width of about sixty feet, and for that purpose it is necessary to take and lay out as a public street or way of the said city, the following described parcels of land, viz.:

A parcel of land belonging to Harvey D. Parker, corner of Blackstone street, measuring 500 square feet; 586 square feet of land belonging to Wm. F. Weld; 461 square feet of land, corner of North Centre street, of Bartholomew Otheman; 275 square feet of land, corner of North Centre street, owned by Association for Relief of Aged and Indigent Females; 180 square feet of land, in North Centre street, Cyrus Wakefield; 569 square feet of land, heirs of Thomas Howe; 714 square feet of land, Cyrus Wakefield; 1603 square feet of land, Wm. Minot, Charlotte Harris and Wm. Minot, Jr., trustees; 145 square feet of land, Frederick W. Eliot; 898 square feet of land, John Eames; 466 square feet of land, Massachusetts General Hospital; 457 square feet of land, corner of Cross street; Dennis F. Flagg; 1502 square feet of land, corner of Cross street, F. F. Raymond and Isaac Brewster, trustees; 1298 square feet of land (station house), City of Boston; 276 square feet of land, a passage way, persons unknown; 606 square feet, heirs of Joel Nason; 1437 square feet, Caroline S. Dodge and heirs of Sarah Noble; 382 square feet, James M. Shute; 441 square feet, Edward Otheman; 1156 square feet, Calvin Hosmer; 114 square feet, Board alley; 322 square feet, Ann Louisa Hatfield; 396 square feet, Jacob Alexander; 382 square feet, heirs of John D. Dyer; 388 square feet, heirs of Jesse Knapp; 500 square feet, John Ritchie; 504 square feet, Elizabeth J. Kemp; 337 square feet, Chas. H. Butler; 966 square feet, Eliza J. Emmes; 581 square feet, Thos. C. Bacon; 359 square feet, corner of Richmond street, Timothy Atkins; 1023 square feet, corner of Richmond street, Edward H. Dunn;

34 square feet, City of Boston; 2300 square feet, First Methodist Episcopal Church; 722 square feet, Daniel Newell; 24 square feet, heirs of Andrew P. Young; 256 square feet, a common passageway; 998 square feet, Chas. W. Parsons and Wm. J. Partridge; 519 square feet, Wm. J. Partridge; 536 square feet, Harvey Carpenter; 246 square feet, a common passageway; 590 square feet, E. Hasket Derby, trustee; 441 square feet, Augusta Wolf, wife of Jacob Wolf; 414 souare feet, corner Prince street, John Ritchie; 1251 square feet, corner of Prince street, Edward Bangs, trustee; 651 square feet, Maurice O'Connell; 636 square feet, heirs of James Munroe; 632 square feet, heirs of Martha B. Carnes; 2067 square feet, corner of Fleet street, Edmund Smith; 1137 square feet, corner of Eleet street, heirs of Redford Webster; 737 square feet, Mary McNeil, wife of Francis McNeil; 566 square feet, John T. Hassam, trustee; 554 square feet, Benjamin F. Whittemore; 1768 square feet, corner of Clark street, Nancy Pierce; 1562 square feet, St. Stephen's Church estate; 425 square feet, Garret A. Lans; 603 square feet, John B. Tremere; 568 square feet, Eben Stone; 536 square feet, Michael Geraghty; 1058 square feet, corner of Salutation street, Patrick Canny; 1210 square feet, corner of Salutation street, Patrick Canny; 828 square feet, Joseph M. Wightman; 570 square feet, Nancy Bartlett; 557 square feet, Thomas Fitzgerald; 858 square feet, Ann Louisa Hatfield; 2575 square feet, Sarah M. Crehore, J. P. Healy trustee; 885 square feet, John Mitler.

And whereas, due notice has been given of the intention of this Board to take the said parcels of land for the purpose aforesaid, as appears by the return hereunto annexed, it is therefore

Ordered, That the parcels of land before described be, and the same hereby are taken and laid out as a public street or way of the said city, according to plans numbered 3, 4, 5 and 6 of the said widening, made by Thomas W. Davis, City Surveyor, dated July 26, 1869, and deposited in the office of the said City Surveyor. And this Board doth adjudge that the expense of widening the said Hanover street, as aforesaid, will amount to $545,052; and that the damages to the estates, parts of which are taken as aforesaid, are the sums set against them respectively on the schedule hereto annexed.

Ordered, That the Treasurer be and he hereby is authorized to borrow, under the direction of the Committee on Finance, the sum of $600,000, the same to be appropriated for the widening of Hanover street, between Blackstone and Commercial streets.

On taking up these last orders,

Alderman Talbot said he desired to state that the estimates of damages were to a great extent *ex parte*, and in the settlement of damages it would not unlikely be found that a variation would take place in many cases. The parties were very reticent in some instances, in relation to their estimate of the value of their estates, and it could not be expected that the amount would be very exact. On the passage of the orders the committee had nothing to say, having made their report on the instructions of the Board.

The resolve and orders were passed by a vote of eleven yeas, no nays, Alderman Richards being absent

The order to amend Police Rules so as to make a change in the uniform, coming up on its passage,

Alderman Pratt said he had designed to offer sundry amendments, but as the Committee preferred to make the amendments, he moved that the report be recommitted.

The motion prevailed.

COMMON COUNCIL PAPERS.

The order authorizing the Committee on Public Buildings to restore the new Normal School House walls to their condition previous to the recent accident, was passed in concurrence.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses to five boys—three as newsboys, one as a bootblack, and one to sell elastics. Accepted.

Alderman White also reported in favor of a license to Morris Brothers to give a concert at Tremont Temple, and to M. Wesolowski for a festival at the Music Hall, 14th September. Severally accepted.

The same committee also reported licenses for wagon stands, wagon licenses, the transfer of wagon licenses, and licenses as a victualler and an auctioneer. Severally accepted.

Alderman James, from the Committee on Paving, reported inexedient in the petition of G. W. Warren and others, that Boylston street and Tremont street in the vicinity of the Hotel Pelham be paved with wood; inexpedient on the petition of the Norcross School Committee, that Fifth street, near D street be paved with wood; and leave to withdraw on the petition of A. Garcelon to be paid for damages sustained by a change of grade of Brimmer street. Severally accepted.

Alderman Van Nostrand, from the Committee on the Assessors' Department, reported leave to withdraw on the petition of Mary V. Randall, for abatement of a tax on her estate in 1868. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intentions to build. Accepted.

Alderman Fairbanks, from the Committee on Sewers, reported no action necessary on the petition of Henry A. Page and others against obstructions of sewerage from India street through Atlantic avenue; and leave to withdraw on the petition of J. G. Smith, for a sewer in Clarendon place. Severally accepted.

Alderman Hawes, from the Joint Standing Committee on Water, to whom was referred the request of the Board of Directors for Public Institutions that a supply of pure water be furnished for the Institutions at Deer Island, submitted the following report:

By chapter 193, of the acts of the present year, the city of Boston is authorized to convey water from East Boston to Deer Island by laying aqueducts or water pipes through the town of Winthrop and across Shirley Gut, and make any suitable structures for the purpose of conveying the water under tide water, *provided* that such structures shall be approved by the Harbor Commissioners.

The necessity for a supply of pure water has been long felt, principally in the running of the engines connected with the institutions. During most of the time there are four boilers in use—four feet in diameter by twenty-eight feet in length; and the water for them is supplied from one well which is not unfrequently pumped dry three or four times each day. As a consequence the water becomes very brackish, and affects injuriously the boilers and pumps. The average consumption of coal is about four and a half tons per day; and the engineers state that with good water they can save thirty-three per cent. of fuel.

Another important consideration, the great risk from fire, owing to the want of an available supply of water, is very fully presented in a communication from a member of the Board of Directors appended hereto.

Great inconvenience as well as considerable expense is entailed on the laundry department by the use of well water, which is unfit for use without the addition of large quantities of soda.

The additional per centage of risks from fire, the extra expense of running the engines and in softening the water for washing, amounts to more than the interest on the cost of introducing water. But above all these economical considerations, there is to be taken into account the health of the inmates of these institutions—nearly one thousand in number—which would undoubtedly be greatly promoted by the introduction of a supply of pure water.

In regard to the cost and method of conveying the water, the committee have received the following communication from the City Engineer:

BOSTON, Sept. 11, 1869.

*To Alderman Hawes, Chairman of Committee on Water:*

Dear Sir: In reference to the proposed supply of water to Deer Island, I am of the opinion that the pipes should be of not less than six inches internal diameter, and that the flexible pipe for crossing the "gut" should be of the same size.

The total length of pipe required, including the flexible, is about 25,000 feet, and will cost, all completed, not over $2 16 per foot, or $54,000 for a length of 25,000 feet.

A six inch pipe of the above length will deliver 154 gallons per minute at an elevation of 50 feet above tide mark level.

Very respectfully yours,

N. HENRY CRAFTS,

City Engineer.

The Committee would respectfully recommend the passage of the accompanying orders:

Ordered, That the Cochituate Water Board be authorized to convey water from East Boston to the institutions at Deer Island; and for that purpose to lay pipes through the town of Winthrop and across Shirley Gut, as provided by chapter 193 of the acts of the year 1869.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $54,000, to be expended by the Cochituate Water Board, in conveying water from East Boston to Deer Island.

On motion of Alderman Hawes, the report was laid on the table and ordered to be printed.

Alderman James, from the Committee on Paving, made a report that the bridge on Berkeley street, over the track of the Boston & Providence Railroad, is unsafe for public travel, owing to the decay of the planking which supports the roadway and wooden pavement of said bridge. It is necessary that the same be immediately and thoroughly repaired; they therefore recommend the passage of the following order:

Ordered, That the Superintendent of Streets be directed to repair the bridge on Berkeley street over the track of the Boston & Providence Railroad, at an estimated cost of $1700.

Read twice and passed, on the statement of Alderman James that immediate repairs were required, on account of the unsafe condition of the bridge.

Alderman White, from the Committee on Public Instruction, to whom was referred the request of the School Committee that the City Council would purchase a lot of land adjoining the Lewis Schoolhouse, for primary school purposes, made a report that it appears upon investigation that there will be no necessity for a new primary school in that section of the city for two or three years to come; and they are of the opinion that no action is required upon the subject at this time. Read and accepted.

Alderman White, from the same Committee, on the request of the School Committee for a new division of the Phillips Street Primary School, at the Highlands, reported no action necessary thereon. Accepted.

Alderman Talbot, from the Committee on Laying Out and Widening Streets, to whom was referred the accompanying petition of the Boston & Albany Railroad Co., praying this Board to assess damages to Luther Parks and others in consequence of the said company's taking the estate belonging to said Parks and others on Utica street for railroad purposes, made a report, that having heard the parties in interest, and having given the subject their careful consideration, they recommended the adoption of the following award:

In the matter of the petition of the Boston & Albany Railroad Company for the assessment of damages caused to Luther Parks and others, the owners, and to Rodney Presby, Samuel Ricker and William Lee, lessees of estate on Utica street, taken by said Boston & Albany Railroad Company July 10, 1869, for the purposes of their Railroad, under their charter and the Acts of the Legislature in addition thereto—this Board, after a hearing of the several parties in interest, doth adjudge and award the sum of $14,625 as damages to be paid by said Boston & Albany Railroad Company, to said Parks and others, respondents, for the taking aforesaid.

Read twice and passed.

ORDERS OF NOTICE.

On the petition of Seth Wentworth for a steam engine on Wareham street. Hearing Monday, October 4, 4 P. M.

On the petition of Jacob Rand & Co. for leave to use a steam engine and boiler at Nos. 21 and 23 Wareham street. Hearing Monday, October 4, 4 P. M.

On the petition of B. D. Whitcomb for leave to use a steam engine at 27 Wareham street. Hearing Monday, October 4, 4 P. M.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the court leading from between numbers 97 and 101 Eliot street be hereafter called and known as Columbus place, and that the Superintendent of Streets be authorized to place street signs upon and number said place.

Ordered, That the street recently laid out as a public way, leading from Marginal street to the wharf of the British and North American Steamship Co., be hereafter called and known as Clyde street.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Third street, between F and Dorchester streets, to furnish edgestones to support the sidewalks and to lay their sidewalks with bricks within twenty days.

Ordered, That the Chief of Police be directed to notify the owners and abutters on Auburn street, between Ruggles and Vernon streets, to furnish edgestones to support the sidewalks and to lay their sidewalks with brick within twenty days.

Ordered, That the Superintendent of Streets be authorized to repave Kneeland street, between Cove and Federal streets, with small granite blocks, at an estimated cost of $1500.

Ordered, That the Chief of Police be directed to notify the owners of the estate on the northwest corner of Shawmut avenue and Upton street to lay the sidewalk in front of said estate on Shawmut avenue with brick, within twenty days.

Ordered, That the Superintendent of Streets be authorized to lay a plank sidewalk on Beacon street, from Dartmouth street to Gloucester street, at an estimated cost of $1000.

On motion of Alderman Rice,

Ordered, That the lot of land containing 10,560 square feet, belonging to the City Stable yard, and bounded on Fruit street, as shown upon a plan drawn by N. Henry Crafts, City Engineer, dated September 13, 1869, be added to the jail yard, and that the strip of land at the easterly end of the present jail yard, containing about 14,858 square feet, also shown upon the same plan, be set off from said yard, and added to the premises of the City Stables, and that a suitable brick fence be erected on the new boundary lines thus established, at an estimated cost of $9000, to be charged to the appropriation for the county of Suffolk.

On motion of Alderman Seaver,

Ordered, That the Chief of Police be authorized to close State street, between Merchant's Row and Broad street, for the passage of vehicles on Saturday next, September 18th, between 12 o'clock M and half-past 12 o'clock P. M.

Ordered, That there be allowed and paid for services rendered in the hearings before the Massachusetts Legislative Committee on the Metropolitan Police question, the further sum of $460, the bill for the same being approved by the Committee on Police, said amount to be charged to the appropriation for Police.

On motion of Alderman Talbot,

Ordered, That there be paid to James H. Beal, agent for the heirs of Eliza Beal, $20,000, for land taken and damages occasioned by the widening of Hanover street, by a resolve approved December 31, 1868, to be charged to Hanover Street Loan.

Ordered, That there be paid to Horace Dupee the sum of $3172 for land taken and damages occasioned by the laying out and grading of Sturgis street, by a resolve approved July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Horace Dupee, trustee, and Horace Dupee, the sum of $400 for all their interest in the fee of Hamilton Court, a portion of which was taken by the laying out and grading of Sturgis street, by a resolve approved July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Horace Dupee, trustee, the sum of $3330, for land taken and damages occasioned by the laying out and grading of Sturgis street, under resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Horace Dupee, trustee, the sum of $2400 for damages occasioned by the grading of Hamilton street, under resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Horace Dupee the sum of $125 40 for two-tenths of an undivided lot of land, rear part of Baker's alley, and all his rights in the whole of said alley, as taken by the resolve laying out and grading of Sturgis street, under resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Moses Kimball the sum of $2500 for damages occasioned his estate by the grading of Hamilton street, under resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Moses Kimball the sum of $6400 for damages occasioned by the grading of Wendell street, under resolve of July

23, 1869, two of the said estates being at the time of the passage of the resolve in the name of David P. Kimball and in that of Eugene O'Riley, the same to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Moses Kimball $1749 52, for land taken and damages occasioned by the widening and grading of Oliver street—$1407 88 of the above amount being the sum awarded, by an estimate of the Mayor and Aldermen made Oct. 9, 1865, and the balance, $341 64, being the interest at 6 per cent. on the sum awarded, from the time the land was taken, Sept. 6, 1865, to Sept. 22, 1869, to be charged to the Oliver Street Loan.

Ordered, that there be paid to Ann W. Vose the sum of $1900 for damages occasioned her estate by the grading of Washington avenue, under resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to John Mahoney the sum of $3000 for damages occasioned his estate numbered 22 Washington place, by reducing it to the grade established for that portion of the Fort Hill Territory by a resolve approved August 31, 1869—Mahoney to have the buildings upon the estate—the same to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Alice McMahan the sum of $1300 for damages occasioned her estates Nos. 2 and 4 Mariner place, and in the rear of 148 Purchase street, by reducing them to the grade established for that portion of the Fort Hill territory, by a resolve of August 31, 1869—the city to possess the buildings on the said estate, the same to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to John Crafts the sum of $800 for damages occasioned his estate No. 3 Mariner place, and in the rear of 148 Purchase street, by reducing it to the grade established for that portion of the Fort Hill territory, by a resolve of August 31, 1869, the same to be charged to the Fort Hill Improvement Loan.

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized, in the settlement of damages occasioned by the widening and grading of Washington avenue, to purchase the estate of Cornelius Sullivan on Washington avenue, at an expense not exceeding $6600, the same to be charged to the Fort Hill Improvement Loan.

Alderman Talbot, in explanation and support of the above named order, stated that there would probably be other cases like it, in which it would be necessary to purchase the estates in the settlement of damages.

On motion of Alderman Talbot,

*Resolved*, That the safety and convenience of the inhabitants of the city require that Newland street should be laid out between West Dedham and West Canton streets, and for that purpose it is necessary to take and lay out as a public street or way, a parcel of land belonging to the City of Boston, at no expense.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be directed to construct a sewer in Princeton street, between Prescott street and Eagle square, and report the expense of the same to this Board, according to law.

On motion of Alderman Hawes,

Ordered, That the Joint Standing Committee on Water be requested to consider and report upon the expediency of providing for the payment for water used by the Fire Department in the extinguishment of fires.

Ordered, That the Committee on the Harbor be authorized to expend $400 for dredging Roxbury canal, said sum to be charged to the Appropriation for Boston Harbor.

On motion of Alderman White, an order was passed for the abatement of a nuisance at No. 85 Phillips street.

An order was passed for the collection of assessments for sidewalks on Thomas, Atlantic, National, Sixth, Seventh, and Rochester streets, amounting in the aggregate to $4296 33.

Alderman Bradlee moved a reconsideration of the passage of an order for the closing of State street on Saturday noon, to obtain an explanation therefor.

Alderman Seaver stated that it was contemplated to have a flag raising upon the commencement of the political campaign, he did not understand of which party, and there would be a band of music which would play Yankee Doodle, Red White and Blue, and several other tunes. It would be a spread-eagle affair, and as there would probably be a large crowd of people present, and it would not require more than half an hour, it was thought desirable to obtain authority to close the street for a short time.

Alderman Bradlee withdrew his motion.

Adjourned to Tuesday evening, 7½ o'clock.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## SEPTEMBER 16, 1869.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Wm. G. Harris, the President, in the Chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of John McGill and of Daniel Cobb, to be paid for damages to their respective estates by the recent gale and change of grade of Tremont street, and the communication of the School Committee for accommodations for deaf mute school, were referred in concurrence.

The following reports were accepted, in concurrence:

Report leave to withdraw on the petition of M. V. Randall for abatement of tax assessed in 1868.

Report that no action is required upon the subject of procuring a site for primary school purposes adjoining the Lewis Schoolhouse, as there will be no necessity for a primary school in that section for two or three years.

Report that no action is necessary on the part of the Council to form a new division in the Phillips Street Primary School.

The order for the Committee on Water to consider the expediency of providing for the payment for water used by the Fire Department at fires, was passed in concurrence.

The following orders were severally read the first time:

Order to purchase the estate of C. Sullivan, for the purpose of widening and grading Washington avenue.

Order authorizing the expenditure of not more than $400 for dredging Roxbury Canal.

The order to change the boundary line of the City Stable and Jail premises, and to erect a fence upon the new line at an expense of $9000, being on its passage, under a suspension of the rules,

Mr. Rich of Ward Fourteen said he was in entire ignorance on the subject of the order, which was not recommended by any committee, but introduced by a member of the other board. He wished to obtain information on the subject before he could vote for it.

Mr. Wadsworth of Ward Four stated that the Sheriff of the county had submitted to his inspection the plan of the lands referred to in the order. On the lot proposed to be annexed to the jail lands are old sheds and other buildings upon which persons climb and hold conversation with the prisoners; by annexing this piece of land the jail lot will be nearly square, while the portion set off to the Internal Health Department will be more suited to their use. The fence on the premises was blown down in the recent gale, and as it must be put up again, the opportunity is favorable to make the change proposed, and if done, it should be at once.

The order was read a second time and passed.

The resolve and order for the widening of Hanover street between Blackstone and Commercial streets, and authorizing a loan of $600,000 to be appropriated therefor, City Doc. No. 76, were taken up for consideration.

Mr. Ingalls of Ward Twelve inquired if they had been in the hands of the Committee on Streets on the part of the Common Council.

Mr. Richards of Ward Eight replied that they had not.

Mr. Ingalls moved a reference to that committee, which was carried.

UNFINISHED BUSINESS.

The following reports were accepted, in concurrence:

Report on what disposition should be made of the buildings owned by the city on Fort Hill.

Report granting $1000 to S. B. and M. M. Morse, for personal injuries caused to the latter from a fall in Webster street.

The following orders and ordinances were read a second time and passed:

Order authorizing the purchase of the estate of M. E. Sullivan, at an expense not exceeding $7000, in settlement of damages from the widening and grading of Purchase street.

Order authorizing a Primary Schoolhouse to be erected on the city's lands at the corner of Church and Fayette streets, and for a loan of $41,000, to be applied to the erection and furnishing of the same. [Passed unanimously.]

Order authorizing the erection of a boiler-house and coal-shed on land adjoining the Charity Bureau, at a cost not exceeding $14,000. [Passed by a vote of 40 yeas, 1 nay.]

An ordinance in relation to the manufacture, storage and sale of petroleum and its products. City Doc. 82.

An ordinance to amend an ordinance in relation to Public Institutions, City Doc. 81; and an ordinance to amend an ordinance in relation to Mount Hope Cemetery, in the same document.

An ordinance to amend an ordinance relating to the City Hospital, also in the same document.

An ordinance in relation to the Public Library. City Doc. 79.

WATER IN THE HIGHLAND DISTRICT.

Mr. Wadsworth of Ward Four submitted the following communication:

COCHITUATE WATER BOARD OFFICE,
September 16, 1869.

*To the City Council of the City of Boston:*

The appropriation made by the City Council for laying the main and service pipes in Wards Thirteen, Fourteen and Fifteen will not be sufficient to complete the work which has been laid out to be done during the present year; the balance now on hand to the credit of these Wards is but $30,658 11, and the estimated amount required to complete the work is $150,000.

The Cochituate Water Board are therefore under the necessity of asking for an additional appropriation of $125,000, which in their opinion will be ample to complete the laying of all the pipes that will be necessary to be done by special appropriation; as the additions to be made hereafter will only be such as are caused by the natural increase of population, and will be met by the regular yearly appropriation, as in the other Wards of the city.

The amount of work already completed in the Highland District has been as follows: There have been laid 6221 feet of 24 inch pipe; 1650 feet of 16 inch; 27,451 feet of 12 inch; 47,956 feet of 6 inch; 6014 feet of 4 inch, and 22,843 feet of service pipe, making a total of over twenty-one miles, to which are connected 187 gates and 245 hydrants.

The stand pipe is nearly completed, and the engine house and engines are well under way.

As it is very important to have this work pushed forward with as little delay as possible, before the weather puts a stop to our operations, we earnestly request that this communication will receive your early attention.

The original estimated cost of this work was $650,000, and the amount already appropriated has been $450,000.

N. J. BRADLEE,
President Cochituate Water Board.

On motion of Mr. Wadsworth the communication was referred to the Committee on Water.

REPORTS OF COMMITTEES.

Mr. Richards of Ward Eight, from the Committee on Streets of the Common Council, to whom was referred the resolve of August 23d, from the Board of Aldermen, relative to the widening of Eliot street to fifty feet, from Washington street to Pleasant street, during the present municipal year, made a report as follows:

That in their judgment it is inexpedient for the Council to take any action in the matter until an estimate of the entire expense of the widening, after deducting the probable amount to be collected for betterments is presented.

Mr. Nelson of Ward Nine stated that the widening of Eliot street was a measure of the strictest economy, and he could conceive of no reason for the delay contemplated by the report of the committee in obtaining information from the Board of Aldermen. By a recommitment of this report, the committee could soon obtain all the information necessary, from the committee of the other branch. He hoped it would be recommitted, with instructions to obtain the information required as soon as possible, and moved such recommitment, with instructions to obtain the cost of the proposed widening of Eliot street, and the amount of betterments which may be assessed.

Mr. Keith of Ward Fifteen said he did not like this way of being called upon to perform the labor of the other Board. By the city charter the Board of Aldermen are invested with the powers of County Commissioners, and upon them devolves

the duty of laying out streets. If an exigency exists for laying out or widening a street, they are to assume the responsibility of such laying out or widening, and if the action of the Council be required, it is the duty of the Board to present fair estimates—the best estimates which can be obtained of the probable cost of the project. When they send up a bald order for the widening of a street, without an estimate of the cost, they send it in a condition to place the Council in a false position. He could not see how the Committee of this Board could obtain the information necessary, should the report be recommitted, but should the matter go back to the other Board, it might easily be reported by the committee of that Board. That is the only legitimate and proper method of disposing of this kind of business. The Council is entitled to have from them the information necessary, before being called upon to take any action on the subject. He hoped the report would not be recommitted. The committee of the Council could not get the information, while the Board of Aldermen have the whole Board of Assessors around them, from whom the information can be obtained. Let it go back, and if in the judgment of the Board of Aldermen the street should be widened, and they shall present the estimates of the cost of such widening, the Council will be in a condition to act upon it.

Mr. Nelson replied that in this case the Board of Aldermen had done as in other cases, and had asked the opinion of the Council before taking final action. The proposed widening was not extensive, and the information wished may be obtained in a day or two. The Board of Aldermen had asked for an expression of the opinion of the Council, and the Council should take it in the same conciliatory spirit. If the question should be decided on its merits, it would be found one of the best expenditures which the city could make.

Mr. Keith said if the Board of Aldermen was disposed to vacate its powers as County Commissioners, and give concurrent jurisdiction in the matter of laying out streets, he might consent to this kind of action of the Board. But they had refused to allow the appointment of a joint committee on the subject. With such a committee, a great deal of labor could be saved in getting information, and the committee could give to the Council the information which might be needed. There was no vacating of authority on the part of the Board of Aldermen in coming to the Council for an expression of its views; but on the other hand, should the Council pass the order, it would be committed on the subject, without any information sufficient to determine its necessity.

If the order should be passed, it might be insisted by the Committee of the Board of Aldermen that the City Government had instructed them in their action. He would not say how he might vote, and he was apt to vote for progress, but he liked to have a proper course pursued, and the responsibility placed where it belonged.

Mr. Nelson said the Committee of the Council was an able one, and if the report was recommitted, they would soon obtain all the facts on the subject. Complaint had been made that the Board of Aldermen would not recognize the rights of the Common Council, but here was a case in which the Council could take the initiative in a measure of public improvement. If the Council were so squeamish about their rights, here was a case in which they might jump in and take them.

Mr. Osborn of Ward Six looked upon the widening of streets as the best investments which the city could make. He sympathized with the gentleman from Ward Nine in his interest in regard to the measure, and although he had not examined this proposed widening, he believed it to be among those that were inevitable. The statute, however, had provided the way in which this kind of work shall be done, and that should be conformed to. The Council has no jurisdiction in this matter except where the expense exceeds $5000. There was nothing to show that there is an excess of that sum. This manner of placing the subject before the Council has one advantage in being passed only by a majority vote, while under the other method a two-thirds vote is required. He was in sympathy with the gentleman from Ward Nine, but wished the order to pass in the right form.

Mr. Nelson said the motion to recommit did not contemplate the widening of the street, but simply to obtain facts as to the cost of the widening and amount of betterment likely to be obtained.

Mr. Osborn said there was no use to recommit, to obtain facts on a matter not properly before the Council. The Board of Aldermen should first adjudge that the widening is necessary, with the cost of the widening, which had not yet been done. Until the Council could have more light they should have nothing to do with it.

Mr. Nelson withdrew his motion to recommit, although he said the position of the matter was the same as that relating to the extension of Washington street.

The report of the committee was accepted.

An inquiry being raised, the chair stated that as the report had been accepted, and as the order was read once at a previous meeting, the question was now on the passage of the order.

Mr. Richards moved to lay the order on the table, which was carried.

ORDER PASSED.

On motion of Mr. Kingsbury of Ward Fifteen,

Ordered, That the Committee on Public Buildings be and they are hereby requested to visit the house of Engine No. 14, and report what repairs are necessary on the same, as suggested by the Chief Engineer in his last annual report.

Mr. Jenks of Ward Three called attention of the members of the Council to the operating room in the City Hospital, which was entirely unfit for the purpose for which it was used, and as the Committee will soon call for an appropriation, he hoped the members of the Council would call at the institution, and satisfy themselves on the subject.

Mr. Keith of Ward Fifteen wished to inquire of the Committee on Printing relative to printing of the manuscript of the Mayor upon which action was taken some time since.

Mr. Nelson stated that the subject had not been taken up by the Committee. As they were to have a meeting tomorrow, it would probably be acted upon.

Mr. Keith expressed the hope that the manuscript would be printed immediately.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## SEPTEMBER 20, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Thirty-five traverse jurors were drawn for the Supreme Judicial Court, and thirty-five jurors were drawn for the Superior Court, civil term, first session.

APPOINTMENTS MADE AND CONFIRMED.

Oliver Whitcomb, as sergeant of police.

Special Police Officers, without pay—Edward Brown, for duty at the passenger station of the Boston, Hartford & Erie Railroad; Wm. S. Dillaway, for duty at the new schoolhouse in Ward 12.

PETITIONS PRESENTED AND REFERRED.

S. & A. R. Whittier, for leave to move a brick building from Harrison avenue about 200 feet southerly.

Peter J. Hughes and others, that Newland street be paved from Upton street to Dedham street.

Edward Cherrington and others, that Third street be paved with granite blocks from C to F streets.

C. C. Jameson and others, that sidewalks be laid on Treuton str et, from Prescott to Meridian streets.

James Teevan and others, for a change of grade of Lenox street.

F. O. Prince and others, that the grade of Exchange place and Congress street be raised.

James Milmore, that Cabot street, between Tremont and Ruggles streets, be graded, so that water pipes may be laid down.

J. M. Mullane and others, to be paid for grade damages in Harrison avenue, between Northampton and Eustis streets.

Severally referred to the Committee on Paving.

H. N. and E. L. Plumer and others, for an abatement of a nuisance in the dock at the foot of State Street Block, from want of drainage, &c.

B. F. Nutting and others, that a new sewer be laid in the upper part of Hanover street.

Severally referred to the Committee on Sewers.

John Judge and others, that water be supplied in the fourth section of Ward One, Referred to Committee on Water.

W. G. Farnum, to be heard in relation to the issue of innholders' licenses in Chickering place.

Henry Kohan, to be licensed as a dealer in second hand articles at 64 Salem street.

Severally referred to the Committee on Licenses.

Frederick Hyren, that public open air preaching be allowed in Boston.

H. W. Bowen, for leave to remove a tree at the corner of Forest and Vine streets.

Severally referred to the Committee on Common and Squares.

Superintendent of Fitchburg Railroad Company, that gas lamps be placed and lighted on Causeway street at Haverhill and Beverly streets.

C. McBurney and others, that gas lamps be placed and lighted on Codman avenue, and on Shawmut avenue, near that locality.

Severally referred to the Committee on Lamps.

Joseph W. Tucker and others for acceptance of a passageway leading from Norfolk street to Millmont street. Referred to Committee on Streets.

Joseph F. Paul and others, J. Lovejoy and others, and Moses M. Allen and others, severally for the acceptance of Columbus avenue and certain streets crossing said avenue.

Alderman Talbot called for the names of the streets whose acceptance was asked, and stated as the position of the Committee on Streets that their powers in the matter were exhausted long since. The Committee had been ready to report in favor of the acceptance of these streets as soon as a deed of them was given to the city by the Water Power Company. The difficulty had been, as he understood, that parties who had bought lands on that territory had refused to pay the assessments for sewers which had been constructed by the Water Power Company, and that corporation would be ready to give a deed of the streets when these assessments are paid. The parties, some of whom were signers of these petitions, were assured of this months ago, and the only remedy they have for their grievances is the paying of their sewer assessments.

Alderman Pratt stated that there were numerous petitions for placing and lighting lamps in some of these new streets, but the committee could not report in favor of them so long as there was no disposition to keep the streets in order.

The petitions were read at the request of Alderman Pratt, who further remarked that as fast as these streets may be accepted, the committee would report in favor of lighting them. There appeared to be not the slightest attempt to make them passable, nor any disposition shown to keep them safe.

Alderman Talbot said it was understood that the Water Power Co. had the sewers constructed sufficient to drain all these streets. In the sale of their lots they had not always mentioned the expense of the sewers to be paid by the purchasers of lots, and the result had been an attempt to throw the expense of the sewers from one party to the other. The policy was a bad one, both for the company and the purchasers. The Committee on Paving are willing to put in the cess pools, and all that is required for the acceptance of the streets is the payment of the sewer bills. When that is done, the streets will come in free and clear. These persons of course have a right to petition the Board, but they know just what stands in the way of the acceptance of the streets. It would seem to be greatly for the interest of abutters of the streets to pay these assessments.

Alderman Baldwin stated that this was the work of the President of the Water Power Company, who desired to have the parties come together before the Committee in the hope that an arrangement will be made to remove the difficulty to the acceptance of the streets.

Alderman Talbot said that when the deed of the street is given the sewer goes with it, and the Company will lose all right to collect assessments for the sewers.

The petitions were severally referred to the Committee on Streets.

NOTICES OF INTENTION TO BUILD.

Timothy Kelley, Regent street, near Circuit street; James Flavin, Tudor street, between B and C streets; Roger Drury, Parker street; George S. Griggs, Milford place; T. J. Whidden, corner of Beacon and Beaver streets; J. M. Prior, 39 White street; A. J Preble, 311 Bennington street; John P. Saxton, Ruggles street, between Cabot and Belmont streets; John Walsh, 105 Chelsea street; Frank Jones, Tudor street, between C and D streets; John Gilman, 23 Pitts street; M. H. Freeman, 22 Andover street; J. Sears & Son, Broadway and Emerson, between H and I streets; John Poggi, Magazine, corner of George street: Peter McKenna, corner of Norwich and Meander streets; Geo. E. Clark, Woodward street; Wm. Messenger, Nos. 89 and 91 Princeton street. Severally referred to the Committee on Streets.

A communication was received from the Commissioners on the Cambridge and Brookline bridge, under chapter 161, acts of 1869, with an order of notice relative to hearings of said Commissioners on Wednesday, Sept. 22, 3½ o'clock, at room 13, No. 13 Exchange street. Referred to Committee on Bridges, with full powers.

A communication from the School Committee, proposing a convention on Tuesday, Oct. 12, at 7½ o'clock, to fill a vacancy in said committee, in place of E. T. Eastman of Ward Ten, resigned, was received, and the proposition was concurred in.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the order relative to reducing the grade of certain estates on Fort Hill, between Belcher lane and Oliver street and Washington square and Purchase street, was considered.

Columbus Tyler, guardian of the heirs of H. S. Welch, said he appeared simply to protect the rights of the owners of the property, and in doing so protested against the acts of the Board.

The report was recommitted.

The hearings on the proposed widening and extension of Heath street, and on the proposed discontinuance of a portion of Heath street, were taken up.

John A. Lowell objected to the proposed form of action, stating that most of the land belonged to him and he was willing to give the land necessary for the widening and extension of the street, but he wished to have it done immediately, while he was negotiating for the sale of lots.

Alderman Talbot stated that the matter had been fully placed before parties representing Mr. Lowell. The Board will lay out the street as soon as the deed is given for the land, that gentleman offering only to give a bond for it. Objection was made relative to assessment for betterments. If there were no damages there could be no assessment for betterments.

After further remarks by Mr. Lowell, Alderman Talbot stated that the proposed measure was not of the city's seeking. The gentleman had expressed fears that the street would not be laid out. The city would act fairly in the matter. There was no reason why it would not be built, yet it would hardly be built this year, the season was so late. Besides, the Superintendent of Streets was not sure there would be enough remaining of the appropriation for such a purpose.

The report on the proposed widening and extension was recommitted.

Mr. Holmes appeared in opposition to the discontinuance of a portion of Heath street, stating that he wanted information on the subject. The street was now a thoroughfare to Dedham and to Forest Hills. The new street would pass over a hill, which heavy teams now go round.

Alderman Talbot stated that Mr. Lowell was willing to lay out a street from Parker to Pynchon streets. The old street would not be discontinued until the new one was laid out.

Wm. G. Russell, for the Boston & Providence Railroad Company, said the Railroad Company assented to the change proposed, although it imposed a slight burden on them. There was one element to be considered, that there must be a gate at the crossing of this street by the railroad. It would not be legal for the railroad to put up a gate without an order from this Board, and they assented to a change on condition that an order should be passed requiring a gate to be placed there. Otherwise the Corporation might be liable to the land owners and the public for the maintenance of a gate there.

The report was recommitted.

The hearing on the order of notice on the subject of estimating the damages to the estates abutting on the westerly side of Tremont street between Boylston street and Seaver place, occasioned by the widening of said street, was taken up. No person appearing in relation to the subject, the report was recommitted.

PAPERS FROM THE COMMON COUNCIL.

The order for Committee on Public Buildings to examine house of Engine Company 14, with a view to making repairs thereon, was considered.

On motion of Alderman Richards, the order was amended so as to provide that the committee be requested to consider and report if any repairs are necessary to be made in Engine House No. 14 during the present year.

As amended, the order was passed.

The request of the Cochituate Water Board for an additional appropriation of $125,000 for water pipes in Roxbury was referred to the Committee on Water, in concurrence.

The following orders were passed, in concurrence:

Report and order for erection of a boiler-house and coal shed for Charity Bureau, at a cost of $14,000.

Report and order for erection of a Primary Schoolhouse on Fayette street, and for a loan of $41,000 to pay therefor.

The report of Committee on Public Buildings on the disposition of the Fort Hill Schoolhouses being under consideration,

Alderman Talbot stated that as this report contemplates action by the Committee on Public Instruction, their attention should in some way be called to it. The buildings could not remain there longer than the 20th of October, when if not removed, they must be sold. If that Committee did not require the removal of the May Primary Schoolhouse, as recommended, the Committee on Streets would sell it.

Alderman White said the Committee on Public Instruction had an order in for the erection of a primary schoolhouse at South Boston, and as soon as the Committee could be got together, this subject of the removal of the May Primary Schoolhouse would be considered.

The report was laid on the table and subsequently was taken up and accepted, when the following order was offered by Alderman Richards:

Ordered, That the Committee on Public Buildings be authorized, if they shall deem it to be most expedient and economical for the city, to remove the May Schoolhouse from Fort Hill to the Church street school site, instead of to South Boston, and that the expense thereof be charged to the appropriation for the Church and Fayette Street Schoolhouse.

Alderman Richards said he did not know the size of the schoolhouse; if large enough for the Fayette street lot, it would be as well to remove it there as anywhere. The committee were of opinion that but one of the schoolhouses could be removed, and as the report contemplated the removal when a site was selected, here was a site on Fayette street, and no other had been selected.

Alderman Bradlee called attention to the fact that plans had already been prepared for the house on Fayette street, which had been approved. This measure should have the approval of the Committee on Public Instruction, and on his motion, the order was amended to that effect.

As amended, the order was passed.

The ordinance in relation to the Public Library was read twice and passed.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses to four news boys, three boys as boot blacks and one boy to sell elastics. Accepted.

Alderman White reported in favor of a license to R. M. Field, for the Boston Museum the present season; also to Patrick Donahoe for leave to give a concert in the Jubilee building in St. James park, and to Arthur Cheney for a license for Selwyn's Theatre. Severally accepted.

Alderman White also reported in favor of sundry persons for wagon licenses and for the transfer of certain wagon licenses. Severally accepted.

Alderman Pratt, from the Committee on Lamps, reported leave to withdraw on petition of Asa Southworth and others for a gas lamp on Belknap place; and no further action necessary on petition of Wm. Timlin and others, for a gas lamp on Dartmouth place. Severally accepted.

Alderman James, from the Committee on Paving, reported in favor of the petition of J. Hawes Dyer to be allowed to remove a tree from Forest street, opposite No. 63. Accepted.

Alderman Seaver from the Committee on Police, reported no further action necessary in relation to a dangerous building on Federal street adjoining the depot of the Boston, Hartford & Erie Railroad. Accepted.

Alderman Talbot, from the Committee no Streets, reported no action necessary on sundry notices of intention to build. Accepted.

The following communication was laid before the Board:

MONDAY, Sept. 20, 1869.

*To the City Council:* The Committee on Finance would unanimously ask for the passage of the accompanying order.

For the Committee.

N. B. SHURTLEFF, Chairman.

Ordered, That the Committee on Finance be authorized to expend such sums of money as may be necessary for the purposes of negotiating the "Consolidated Street Improvement Loan," the same to be charged to the proceeds of said loan.

The order being on its second reading, Alderman Bradlee said he did not doubt it was all right, yet he wished an explanation of the necessity of the appropriation.

Alderman James explained that the expenditure would be necessary, as it was proposed that the loan should be negotiated abroad by the City Treasurer.

Mayor Shurtleff added that by the proposed negotiation of the loan in Europe, a saving of $10,000 or $12,000 would be made.

Alderman Talbot inquired whether the disadvantages as well as advantages of making a foreign loan had been considered.

The Mayor replied that the subject had been thoroughly and faithfully considered in all its relations.

The order was passed.

ORDERS OF NOTICE.

Orders of notice were reported and passed as follows:

On the proposed rebuilding of the sewer in Hanover street, from Tremont Row to the East Buildings. Hearing Monday next, Sept. 27, 4 P. M.

On the proposed construction of a sewer in Saratoga street, east of Prescott street. Hearing Monday next, Sept. 27, 4 P. M.

On the proposed construction of a sewer on Kenilworth street, northerly end. Hearing Monday next, Sept. 27, 4 P. M.

On the proposed widening of Bedford street at the corner of Washington street. Hearing Monday, Oct. 4, 4 P. M.

On the proposed straightening and extending of Shawmut avenue to a width of fifty feet, between its present terminus at Washington street and the corner of Shawmut avenue and Bartlett street. Hearing Monday, Oct. 4, 4 P. M.

GRADING OF STREETS ON FORT HILL.

Alderman Talbot from the Committee on Streets, made a report with a resolve as follows:

*Resolved*, That it is expedient to reduce the grade of certain estates on the Fort Hill territory, so-called, located between Belcher lane and Oliver street, and Washington square and Purchase street, under the powers given to this Board by Chapter 94 of the Acts of the year 1869 of the General Court of the Commonwealth, entitled "an Act to authorize the City of Boston to construct drains on Fort Hill, and for other purposes"; and that the grade of said estates should be reduced so as to conform to the grade of the streets on said territory, as established by a Resolve approved July 23, 1869; and for that purpose it is necessary to take and remove all buildings standing on said estates respectively, and to reduce to said grade the grade of the following described parcels of land, viz:

Two lots of land belonging to the city of Boston, containing respectively 5985 square feet and 8233 square feet; heirs of H. S. Welch, 1472 square feet; heirs of Patrick Leary, 1370 square feet; land of Dennis Collins, surrendered, 3433 square feet; Adeline M. Whiting, 2573 square feet; Nathaniel Whiting, 1070 square feet; City of Boston, 4107 square feet; persons unknown, a passageway 967 square feet; Jerome J. Kidder, two parcels, 4779 square feet and 1560 square feet; Isaac T. Burr, 1616 square feet; persons unknown, a passageway 19 square feet; Joshua B. Fowle, 2300 square feet.

And whereas due notice has been given of the intention of this Board to reduce the grade of said parcels of land as aforesaid, as appears by the return hereto annexed, it is therefore hereby

Ordered, That the parcels of land before described be reduced so as to conform to the grade of the streets as aforesaid, and that the buildings standing thereon be taken and removed.

And this Board doth adjudge that the expense of reducing the grade of said territory, and taking and removing the buildings as aforesaid, will amount to the sum of eight thousand five hundred dollars.

The resolve and order were read twice and passed.

On motion of Alderman Talbot it was further

Ordered, That the above named persons and the tenants and occupants be required to vacate the premises owned or occupied by them on or before the 20th of October next ensuing.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the Committee on Paving be authorized to contract with the owners of estates on Federal street and Broadway for the raising of their buildings to the grade as established by the Board of Aldermen, August 31, 1869, and for the settlement of all damages arising from the raising of said grades, at a cost not exceeding $40,000, to be charged to the appropriation for Broadway extension.

On motion of Alderman James,

Ordered, That the Superintendent of Streets be authorized to pave State street, on the northerly side of the Old State House, with concrete pavement, at an estimated cost of $1100.

Ordered, That the Chief-of-Police be directed to notify the owners and abutters on Grove Hall avenue, between Dudley and Dennis streets, to furnish edge stones to support the sidewalk and to lay their sidewalks with brick.

On motion of Alderman Baldwin,

Ordered, That the order passed August 3, 1869, authorizing the payment for headquarters of the First Brigade, First Division, M. V. M., at the rate of $300 per annum, take effect for the year commencing January 1, 1869, said amount to be charged to the appropriation for armories.

On motion of Alderman Fairbanks,

Ordered, That the Superintendant of Sewers be and he is hereby directed to construct a common sewer in Sixth street, between C and D streets, and report a schedule of the expense thereof to this Board, pursuant to law.

On motion of Alderman Bradlee,

Ordered, That the Committee on Laying Out and Widening Streets be directed be report to the Board the estimated cost of widening Eliot street, between Washington and Pleasant streets, to a width of fifty feet; and also the amount of betterments that could probably be assessed on account of the widening

On motion of Alderman Talbot,

Ordered, That there be paid to Dennis Collins the sum of $16,500 for his estate on Washington square, surrendered to the city and taken by an order of the City Council approved by the Mayor September 10, 1869. The same to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Joshua B. Fowle the sum of $14,063 55 for land taken and damages occasioned—including grade damages—by the widening and grading of Purchase street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to the heirs of J. H. Thayer (Frederick R. Abbe, executor), the sum of $2500 for damages occasioned by the grading of Washington square, upon their estate numbered 9 thereon, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to the heirs of J. P. Monks (Richard J. Monks and Osborn Hawes, trustees), the sum of $7012 25, for land taken and all damages occasioned—including grade damages—by the widening and grading of Washington avenue, upon their estate No. 18 Washington square, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Elizabeth Ann Kelley, wife of Patrick Kelley, the sum of $2619 51, for land taken and damages occasioned by the widening and grading of Oliver street—$2105 72 being the amount awarded by an estimate of the Board of Aldermen made Oct. 9, 1865, and the balance, $513 79, being the interest at six per cent. on the sum so awarded from the time the land was taken, Sept. 6, 1865, to Sept. 29, 1869, to be charged to the Oliver Street Loan.

Ordered, That there be paid to James Hennessey the sum of $2700 for damages occasioned by the grading of Washington square, under resolve of July 23, 1869, the said estate having been graded in the resolve as belonging to the heirs of J. Hennessey, to be charged to the Fort Hill Improvement Loan.

On motion of Alderman Hawes, the report and order to convey water to Deer Island, were taken up.

The several orders were read a second time and passed, as follows:

Ordered, That the Cochituate Water Board be authorized to convey water from East Boston to the institutions at Deer Island; and far that purpose to lay pipes through the town of Winthrop and across Shirley Gut, as provided by chapter one hundred and ninety-three, of the acts of the year 1869.

Ordered, That the Treasurer be authorized to borrow, under direction of the Committee on Finace, the sum of fifty-four thousand dollars, to be expended by the Cochituate Water Board in conveying water from East Boston to Deer Island.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## SEPTEMBER 23, 1869.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, Wm. G. Harris, the President, in the chair.

The petition from the Board of Aldermen was referred in concurrence.

The amendment to order passed at the last meeting, concerning Engine House No. 14, that the Committee consider and report if any repairs should be made on said house during the year, was adopted in concurrence.

The following orders were passed in concurrence:

Order authorizing the removal of the May School-house from Fort Hill to the Church street site, instead of to South Boston.

Orders authorizing water to be conveyed from East Boston to supply the institutions at Deer Island, and a loan of $54,000 to be expended therefor—City Document 85, 1869. Passed by a vote of 45 yeas—no nays.

Mr. Snow of Ward Eleven raised an inquiry on the last mentioned order, whether the statement of the City Engineer relative to the cost of pipe, was for the purchase of the pipe merely, or for the pipe and laying it in its place.

Mr. Noyes of Ward Five, of the committee, stated that the sum of $54,000 included both the purchase of the pipe and laying it.

The order for the Committee on Finance to provide means for the expense of negotiating a foreign loan being under consideration, on its passage,

Mr. Wadsworth of Ward Four inquired how the expense, contemplated by the order, was to be incurred?

Mr. Osborn of Ward Six stated, in reply, that it was for the compensation of an agent to be sent abroad, the transportation of bonds, insurance, &c. On a careful inquiry on the subject, it was found that by sending an agent abroad there would be a large saving and a greater facility in the negotiation of the bonds. The saving from insurance alone would be not less than $12,000.

The order was unanimously passed, in concurrence.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed.

Order to purchase the estate of C. Sullivan, for the purpose of widening and grading Washington avenue.

Order authorizing the expenditure of not more than $400 for dredging Roxbury canal.

A request from the School Committee that the City Council would provide additional accommodations for the pupils in attendance at the Normal School, was referred to the Committee on Public Instruction.

REPORT OF A COMMITTEE.

Mr. Squires of Ward Eight, from the Committee on Common and Squares, on the petition of Chas. J. Bishop and others, for a removal of the Peace Festival building from St. James Park, reported reference of the petition to the Committee appointed to consider the expediency of the purchase of that building by the city. Accepted.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## SEPTEMBER 27, 1869.

The regular weekly meeting of the Mayor and Aldermen was held this afternoon, at 4 o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Thirty-six traverse jurors were drawn for the Superior Court, second session, and thirty-six traverse jurors were drawn for the Superior Court, criminal session.

NOMINATIONS MADE AND CONFIRMED.

*Weigher of Coal*—James Hobson.

*Special Police Officers, without pay*—Benjamin S. Rich, for wharves on Lehigh street; Benjamin F. Reeder, at No. 25 Eliot street.

*Constables.* Francis M. Adams, Arthur F. Anderson, †Lionel Ayers, James Ball, John R. Barry, *Phineas Bates, Frasier J. Baxter, Morrill P. Berry, William W. Blake, Chas. S. Blood, Samuel Brackett, ‡Francis V. Bulfinch, Asa O. Butman, Derastus Clapp, Lemuel Clark, Joseph D. Coburn, *Chase Cole, Dennis J. Collins, †Daniel B. Curtis, ‡Oliver J. Curtis, ‡Samuel A. Cushing, Elisha M. Davis, David M. R. Dow, Alvin S. Drew, William E. Easterbrook, Caleb S. Emery, *George M. Felch, ‡Richard J. Fennelly, †Thomas Folger, Edward O. Frederick, ‡Eben F. Gay, James F. Goodwin, Thos. Hall, James G. Harrington, John C. Harrington, John C. Harrington, Jr., Zaccheus Holmes, Merrill S. Holway, ‡Alexander Hopkins, †Samuel N. Howe, Frederic P. Ingalls, John T. Lawton, *Abraham M. Leavitt, Wm. D. Martin, *Samuel McIntosh, Charles J. Merrill, *Edward F. Mecuen, Jotham E. Munroe, Wm. Munroe, ‡Isaac F. Nelson, John O'Brien, James O'Leary, Harlan B. Paige, David Patterson, ‡Wm. S. Peabody, Ephraim S. Phelps, ‡Joseph Pierce, George B. Proctor, ‡Augustus M. Rice, Edwin Rice, *Edward G. Richardson, †Ai Roe, John C. Robinson, Joseph Rowes; Charles Smith, Thomas M. Smith, Asa Southworth, Oliver H. Spurr, Joshua B. Stackpole, Francis R. Stoddard, Henry C. Stratton, Henry Taylor, Geo. W. Tuckerman, *Charles E. Turner, William G. Tyler, Samuel S. Vialie, John C. Warren, Johnson Warren, †James B. Weeks, William Whitwell, John Williams, Wright W. Williams, John Wilson, †Isaac Worsley.

*Truant officers; †Health Department; ‡Treasurer's Deputies.

PETITIONS PRESENTED AND REFERRED.

Heirs of B. P. Homer, to be paid for land taken to lay out Atlantic avenue.

John Mack and others, that Prospect street be extended to Green street.

Wm. S. Robinson, that Williams street be extended through Williams place to Madison square.

Proprietors of T wharf, to be paid for damages caused by laying out of Atlantic avenue.

Rowe's Wharf corporation, to be paid for damages caused by the laying out of Atlantic avenue.

Charlotte L. Inches, to be paid for damages caused by the laying out of Atlantic avenue.

Moses Williams, to be paid for damages caused by laying out Atlantic avenue.

Central Wharf and Wet Dock Corporation, to be paid for damages caused by laying out Atlantic avenue.

Severally referred to the Committee on Streets.

Samuel S. Perkins and others, that Seventh street be opened and graded, east of O street.

Elijah C. Drew, against any change in the grade of Harrison avenue, near Castle street.

Institution for the Blind, for leave to remove a brick stable across Fourth street.

Peter C. Jones and Wm. P. Jones for assessment of damages by the raising of the grade of Water and Devonshire streets.

George W. Wheelwright, for assessment of damages by the raising of the grade of Water street.

Severally referred to the Committee on Paving.

Patrick T. Gateley, for leave to erect a stable on corner of Norfolk avenue and Gerard street.

B. F. Sheffield, for leave to build a stable on Ellery street.

Feronda D. Osgood, for leave to build a stable for four horses in rear of 210 Ruggles street.

Haley, Morse and Boyden, for leave to erect two stables on Harrison avenue, between Dedham and Canton streets.

Samuel L. Rosnosky, for leave to build a stable for four horses on Middle street.

Severally referred to the Committee on Health.

John Gallagher and others, for a sewer in Hampshire street.

Burrill & Whitney, for a sewer in M street, between Third and L streets.

Severally referred to the Committee on Sewers.

Charles Roethe, that an assessment on his estate. No. 14 Avon place be apportioned into three parts. Referred to the Committee on Streets.

J. B. Simpson and others, for a public clock on Winthrop Street Church. Referred to the Committee on Clocks.

NOTICES OF INTENTION TO BUILD.

M. H. McLaughlin, 8 Rochester street; S. & A R. Whittier, Harrison avenue; M. Silva, Munroe street, near Warren street; Wm. Bowe, Quincy street, between Warren street and Grove Hall avenue; George and Frederick Corson, Revere street, near Irving street; W. F. Savage, 4 South Russell street; E. & G. G. Hook, Tremont street; Samuel L. Rosnosky, 26 Middle street; John P. Hart, rear of 83 Brighton street; B. & J. R. Meing, Second and Athens streets; Patrick Hession, rear of 16 and 18 Hanover avenue; P. McDermott, No. 7, Genesee street; Haley, Morse & Boyden, Harrison avenue; Samuel A. Way, 122 Hudson street; John R. Hall, 506 Tremont street; Leander H. Jones, Sixth street, between Old Colony and Federal streets; B. F. Sheffield, Ellery street; Andrew Abbott, 11 and 15 Causeway street; Patrick F. Gateley, corner of Norfolk avenue and Gerard street; Norman McIves, 191 Fourth street. Severally referred to the Committee on Streets.

THE SUPERIOR COURT AND BOSTON FERRY TOLLS.

An opinion of the Supreme Judicial Court and alternative writ of mandamus, on the petition of the East Boston Ferry Co. *vs.* the Mayor and Aldermen of the City of Boston, relative to the increase of tolls of the ferry company, was laid before the Board in print, City Document No. 88. Referred to the Committee on Ferries.

The rate of tolls as required by the Supreme Court, makes an increase of fifty per cent., and is as follows:

PROPOSED SCHEDULE OF TOLLS.

Foot passengers, each three cents; children under ten years of age, two cents.

*Light Vehicles.* Pleasure carriages drawn by one horse, with not more than two persons and driver, fifteen cents; pleasure carriages drawn by two horses, with not more than four persons and driver, twenty-three cents; pleasure carriages drawn by three horses, with not more than six persons and driver, thirty cents; pleasure carriages drawn by four horses, with not more than eight persons and driver, thirty-eight cents; each additional passenger, three cents each.

*Teams*—Carts and wagons drawn by one horse and not weighing more than 2000 pounds, fifteen cents; carts and wagons drawn by two horses, over 2000 and not exceeding 5000 pounds, twenty-three cents; carts and wagons drawn by three horses, over 5000 and not exceeding 6000 pounds, thirty cents; carts and wagons drawn by four horses, over 6000 and not exceeding 7000 pounds, thirty-eight cents. All loads measuring more than twenty-five feet in length over all will be charged the same rate as drag wheels.

*Trucks*—Drawn by one horse and weighing not more than 2000 pounds, twenty-one cents; drawn by two horses, over 2000 and not exceeding 5000 pounds, twenty-six cents; drawn by three horses, over 5000 and not exceeding 6000 pounds, thirty-eight cents; drawn by four horses, over 6000 and not exceeding 7000 pounds, fifty-three cents.

*Drag Wheels.* Drawn by one or two horses and weighing not more than 5000 pounds—loaded, fifty-one cents; not loaded, twenty-six cents. Drawn by three horses, over 5000 and not exceeding 6000 pounds—loaded, sixty cents; not loaded, thirty cents. Drawn by four horses, over 6000 and not exceeding 7000 pounds—loaded, seventy-five cents; not loaded, thirty-eight cents.

No load weighing over 7000 pounds (exclusive of carriage) allowed to pass over the ferry, unless by special permit of the Superintendent.

Ox teams the same as horse teams, one driver allowed to each team.

Teams to be weighed when required by the Superintendent.

The scale of weights and lengths for loads will be strictly adhered to; and if found to weigh more than allowed by the tariff (and not exceeding 7000 lbs.), the higher rate of toll will be charged.

Horses or oxen not allowed to be detached from the teams and paid for separately.

Each additional horse in a carriage or team of any description, eight cents; a horse with a rider or leader, eight cents; a man with a handcart or wheelbarrow, eight cents; horses or oxen, not belonging to teams, each five cents; sheep, swine or goats, per dozen, nine cents; other cattle, each five cents.

*Baggage.* Each and every barrel not in a cart or vehicle, five cents; each and every half-barrel not in cart or vehicle, three cents. All other articles in proportion.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the orders of notice, on the proposed construction of a sewer in Saratoga street, and of a sewer in Kenilworth street, were taken up. No person appearing in either case, the reports were recommitted.

The hearing on the order of notice on the proposed construction of a sewer in Hanover street, from Tremont row to the East buildings, was taken up.

John J. Rayner, representing estates on Hanover street, opposed the construction of a new sewer, on the ground that his estates were provided with a good drain, and he did not wish to be assessed for another drain for the benefit of other parties. He could see no reason for a new sewer so long as parties were satisfied with the present one.

H. H. Leavitt, one of the petioners for a new sewer, stated that the present drainage was not sufficient in the upper portion of Hanover street, the drain being but seven feet below the surface of the ground. Representing an estate of ninety-two feet frontage, he was assessed largely for betterment in widening the street, and should consider it as belittling the improvement of widening the street, by a neglect to provide a sufficient sewer.

Mr. Rayner further stated that several large estates on this street would not drain into this sewer should it be constructed; the American House estate drained into a sewer on Sudbury street, and the Lawrence estate drained on Elm street.

Mr. Leavitt repeated that the drain was but seven feet from the surface, did not answer the wants of the estates on Hanover street, and was not a healthy drainage. On some estates the water stood in the cellars. Owners of estates were willing to pay a heavy tax for a good drainage.

The report was recommitted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That the Chief-Engineer of the Fire Department be and he is hereby authorized to purchase, under the direction of the Committee on Fire Department, one four-wheel hose carriage, at an expense of $600, the same to be charged to the appropriation for the Fire Department.

Ordered, That the Superintendent of Streets be authorized to repave Leverett street, between Green and Causeway streets, with small granite blocks, at an estimated cost of $2000.

Ordered, That the Superintendent of Streets be authorized to repave a portion of Bulfinch street with the McGonagle wooden pavement, at an estimated cost of $2000.

COMMON COUNCIL PAPERS.

The request of the School Committee for additional accommodations for pupils in the Normal School, was referred to the Committee on Public Instruction, in concurrence.

REPORTS OF COMMITTEES.

Alderman James, from the Committee on Paving, on the petition of W. H. Lingard, for leave to place a lamp-post in the sidewalk on Washington street, at the entrance to Central court, reported that leave be granted. Accepted.

Alderman James, from the Committee on Public Lands, reported leave to withdraw on the petition of Charles G. Brewster, for modification of restrictions on land of estate No. 636 Tremont street. Accepted.

Also on petition of H. G. Barrows for removal of wooden building rear of East Brookline street, that no action was required, the building having been removed. Accepted.

Alderman White, from the Committee on Licenses, reported in favor of licenses to two boys as boot-blacks, and one as a news-boy. Accepted.

Alderman White also reported licenses for hack stand, wagon licenses, transfer of a wagon license, and licenses to victuallers. Severally accepted.

Alderman White, from the Committee on Health, reported that leave be granted to Rodney Presby & Co. to erect a stable on Sixth street, between B and C streets, for more than four horses; also leave to withdraw on petition relative to stagnant water on Cliff street, Highlands. Severally accepted.

Alderman Seaver, from the Committee on the Market, reported in favor of a transfer of lease of stalls Nos, 126 to 132, and cellar No. 22 Faneuil Hall Market. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intentions to build. Accepted.

Alderman Talbot also reported leave to withdraw on petition of Charles F. A. Feyhl, to be paid for land on Ruggles street taken for grade, and on petition of Stephen M. Allen, that a suitable road be laid out through lands on Reservoir park. Severally accepted.

Alderman Talbot further reported no action necessary on petition of Michael Moore, that the line of B street, at No. 78, be more accurately defined; also on the order relative to widening Fort avenue; and leave to withdraw on petition of Alvah Kittredge, that Linwood square be accepted as a public way. Severally accepted.

Alderman Hawes, from the Joint Standing Committee on Water, to whom was referred the request of the Cochituate Water Board for an additional appropriation of $125,000 to complete the laying of all the pipes necessary under special appropriations in Wards Thirteen, Fourteen and Fifteen, made a report recommending the passage of the accompanying order:

Ordered, That the treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $125,000, to be expended by the Cochituate Water Board in laying pipes and establishing hydrants in Wards Thirteen, Fourteen and Fifteen—said sum to be added to the loans heretofore made for extending the water works in the Boston Highlands. The order was read twice and passed.

Alderman James, from the Committee on Paving, to whom was referred the petition of S. & A. R. Whittier, for leave to move a building on Harrison avenue, made a report that the building which it is proposed to move is a brick building, and it is not within the recollection of the Committee that permission has ever been granted to move a building composed of brick or stone through or along any public street of the city. To grant permission in the present instance would establish a precedent for which the Committee do not wish to be responsible. The Committee also state that it will be necessary to have this building in the roadway of Harrison avenue six working days, which will be of great inconvenience to public travel, For the above reasons, the Committee recommend that the petitioners have leave to withdraw.

Alderman Baldwin, in opposing the report, stated that the interests of citizens and the protection of their property should be taken into consideration in such cases, whenever it should appear that the public are not inconvenienced thereby. He had understood that the building would not be in the street more than six days, and that in moving it, it would be so arranged that the street would not be blocked, but that on either side there would always be a passage for a carriage.

The acceptance of the report was lost—5 to 5.

Alderman Richards subsequently moved a reconsideration of the vote rejecting the report, on the ground that the matter should be definitely settled one way or the other.

Alderman Baldwin preferred to have the subject taken up when the Board was full, and the motion to reconsider was withdrawn.

Alderman White, from the Committee on Public Instruction, to whom was reported the request of Dexter S. King that accommodations be furnished to the School for Deaf Mutes, made a report that

the fourth section of the ordinance relating to public schools provides that whenever accommodations for public schools are required, the School Committee shall send a communication to the City Council, stating the locality for which the accommodations are required, and the kind of accommodations. In the present instance it does not appear that the School Committee have sent any such communication, nor that they have empowered any sub committee to make any such requisition upon the City Council as was referred to this Committee.

As the subject is not therefore properly before the City Council, the Committee, without desiring to be understood as opposed in any way to furnishing accommodations for a school for deaf mutes, would respectfully report that no further action is necessary on the paper referred to them.

The report was accepted.

REPORT ON THE PURCHASE OF THE EAST BOSTON FERRY PROPERTY.

The Joint Special Committee who were instructed to report the terms upon which the East Boston Ferry Company will dispose of their franchise and property, and also an estimate of the true valuation of said franchise and property, and whether it is expedient for the City of Boston to purchase the same, submitted the following report:

The East Boston Ferry Company was organized under an Act of the Legislature, passed May 18, 1852, with authority to establish and support a ferry between the main land in the City of Boston and the Island of East Boston, for a term of twenty years. It was authorized to hold real and personal estate not exceeding in amount the sum of three hundred thousand dollars, and allowed to collect and receive such tolls as the Mayor and Aldermen should determine, provided, however, that the rates of ferriage should never be so much reduced as to reduce the yearly dividends of said company to an amount less than eight per cent. on the amount of capital stock actually invested. It appears from the last annual statement of the company, that the capital stock is $225,000, represented by 2250 shares, issued for one hundred dollars each.

The act of incorporation provides that the city of Boston, by a vote of the City Council, may, at any time during the continuance of the charter of said Company, purchase of said Company the said ferry, and all the franchise, property, rights, and privileges of the said Company, by paying them therefor such a sum as will reimburse them the amount of capital paid in, with a net profit thereon, as may be agreed upon, not exceeding ten per cent. per annum, from the time of the payment thereof by the stockholders to the time of such purchase.

In 1859, the receipts of the company having become greatly reduced, from carrying on a ruinous competition with the People's Ferry Company, the City Council, with a view to the relief of the ferries by furnishing free avenues and landings, purchased of the East Boston Ferry Company the following property:

Eastern avenue, and the pier, wharf and dock to the Commissioners' line, containing in all 83,121 square feet;

The use for ferry purposes forever of the wharf and landing on the East Boston side, lying north of the south line of Lewis street, containing in all 37,896 square feet;

The drops, tanks and buildings attached to the above-described property on both side of the ferry.

In consideration of the purchase of this property by the city for $125,000, the East Boston Ferry Company gave a bond to the city, bearing even date with the conveyance, to maintain and operate the ferry for a term of ten years.

At the same time the city gave three releases to the East Boston Ferry Company—first, to use the Eastern avenue for ferry purposes for a term of ten years; second, a right of way over Eastern avenue to so much of Sargent's wharf as may be used for ferry purposes so long as the East Boston Ferry Company shall use the same; third, the right to use the wharf, landing, lands and property used for ferry purposes at or near the end of Lewis street, so long as the East Boston Ferry Company shall use the same.

The tenure under which the East Boston Ferry Company now occupies the People's Ferry landings, so called, is terminable at the pleasure of the City Council, and is not, therefore, of any value in an estimate of the Company's rights for conveyance. Early in the present year, a large number of petitions in favor of the purchase by the city of the ferry, representing not less than forty million dollars of taxable property in this city, were sent to the City Council, and referred to this Committee. While the subject was under consideration, a proposition to sell was received from the President of the Company for $350,000, which proposal was repeated under an inquiry made during the present month.

Under the further instructions of the City Council to make an estimate of the true valuation of the property, the Committee appointed Messrs. Charles W. Copeland, Nehemiah Gibson and Increase S. Hill as appraisers.

On the 28th of August, the following report was received from the Appraisers:

BOSTON, August 28, 1869.

ALDERMAN NATHANIEL SEAVER, Chairman of the Joint Special Committee on the Purchase of the East Boston Ferries.

*Dear Sir:* In accordance with your request, the undersigned have made as careful an examination of the property of the "East Boston Ferry Company" (which it is proposed to transfer to the City of Boston) as they were enabled to do with the facilities extended to them.

We desired to examine carefully and closely the condition of the several boats belonging to the Ferry Company, but were not permitted to do so; in fact, we could obtain no information whatever from the officers of the Ferry Company, and were not even informed by them in what the property consisted which it was proposed to transfer to the city; and we were, therefore, compelled to obtain the information in the best way we could.

Consequently our estimate of the value of these boats has not been based upon such a close and critical examination as we should like to have made, but upon such an observation of their general condition and efficiency as we were enabled to make by simply besetting them, and seeing the operation of those running on the ferry.

In fixing upon their value, we have not confined ourselves to the value of such boats in the general market, but have endeavored to make a liberal estimate of their value as ferry boats having a business for which they are adapted.

Our valuation of the several steam ferry-boats is as follows:

| | |
|---|---|
| Gen. Grant | $39,600 00 |
| John Adams | 30,600 00 |
| Thomas Jefferson | 31,300 00 |
| Daniel Webster | 27,950 00 |
| Lincoln | 12,800 00 |
| Norfolk | 6,650 00 |
| Total amount | $148,900 00 |
| In connection with the running of the East Boston Ferry, for which these boats have been especially adapted, we are of the opinion that the valuation is enhanced ten per cent. | $14,890 00 |
| Total valuation of ferry-boats, as connected with East Boston Ferry | $163,790 00 |

*Ferry Dock Property at East Boston.* The property, as we learn from reference to the Assessor's books, has a superficies of 30,800 square feet, and is assessed upon a valuation of $1 25-100 per foot, and, from the best information we can obtain, would not sell in market for a higher price, if even for so much; we have, therefore, adopted the assessor's rate as being its full value, viz:

| | |
|---|---|
| 30,800 feet of land, improved and unimproved, at $1 25-100 | $38,500 00 |
| One large building for storing coal, in a very dilapidated condition | 1,200 00 |
| | $39,700 00 |

*Dock Privilege*—Of landing coal at wharf of Eastern Railroad Company free of cost.

From the information we have obtained, it appears that the present consumption of coal on the two boats now running on the ferry is about 3400 tons per annum; and, assuming that, by the increasing traffic of the ferry, three or even four boats, will of necessity be run during the busy periods of the day, this quantity may, by such increased traffic, be increased fifty per cent, making the total quantity per annum 5100 tons.

The wharfage rate for landing coal at East Boston we learn to be 15 cents per ton.

Hence the wharfage for landing 5100 tons will be $765 per annum; this sum, at the rate of seven per cent, would represent the interest upon a capital of $10,950.

We therefore estimate this privilege, which we understand to be perpetual, or so long as the ferry is operated, at $10,950.

*Ferry Slip and Bridge Belonging to the Ferry Company on the Boston Side.* This slip, with the drop or bridge leading to it, are in a very bad condition. The bridge we do not consider safe to be used for ferry purposes without rebuilding, or at least undergoing very extensive repairs, which will require a large outlay. In their present condition, we estimate the value of the improvements at this slip—viz., piling, bridge and float, and the approaches—at $3000.

*Lease of Ferry Slip on Boston Side.* This slip (the northern) on the Boston side, and usually designated "Sargent's Slip," was leased by the Old Ferry Company upon a long lease, which has many years yet to run, and the rental paid under this lease is much more than could probably be obtained for the slip for any other purpose.

It may be true that, for ferry purposes, the slip, owing to its form, dimensions and location, is more valuable than for commercial purposes, but we think the rental very high even for ferry purposes, its principal value being for a spare slip. The approaches to the slip are so inconvenient that it will only be used for the ordinary running of the ferry, when compelled by necessity.

Under these circumstances, we do not think the transfer of this lease to the city of any value whatever; indeed, we think if the other property of the Ferry Company could be transferred without including this lease, it would be more desirable.

We therefore estimate the transfer of this lease of no intrinsic value whatever to the city, but, for the purposes of a legal transfer, would estimate it at a mere nominal sum of $100.

*Ferry Charter.* We learn that the ferry charter has less than two and a half years to run, and that no renewal of term is conditioned to the company in its present charter.

In further consideration of the value of the charter, the appraisers say that the "slips, houses, bridges and boats are generally in an inferior condition to what they should be to satisfy the requirements of so important a ferry; and it would take some months to bring the property into what we consider a proper state of efficiency." The fact that no dividends have been paid for several years, that the ferry company have petitioned for an increase of tolls on the plea that the amount received has barely sufficed to meet the expenses of the company, and that the recent engagement to run a second ferry increases the necessary cost of maintaining the ferries, all warrant them in assuming that the unexpired term of the charter has no value in itself considered, nor would it command any price in the market, except on the possibility of a renewal, which is considered as very small.

The appraisers conclude:

In view of these facts, we are of the opinion that a valuation of $15,000 for this unexpired term is as great as can with propriety be attached to it, and therefore so estimate it.

Our valuation of the property will therefore sum up as follows, viz:

| | |
|---|---|
| For Ferry-boats | $103,790 |
| " East Boston property | 39,700 |
| " Dock privilege | 10,950 |
| " Ferry slip and bridge, Boston side | 3,000 |
| " Lease of ditto | 100 |
| " Unexpired term of charter | 15,000 |
| | $232,540 |

The Committee requested the Ferry Company to furnish a statement in detail of all the property, rights and privileges which it had offered to convey to the city for $350,000, which was complied with, and which is published in the report. Upon this they remark;

It appears from the foregoing statement that the appraisers omitted to estimate the value of the right of way over the Eastern avenue from Sargent's wharf, and the right to use the avenue and landings on the East Boston side, so long as the company shall maintain and operate a ferry. Although these rights were granted by the city for the nominal consideration of one dollar, they are undoubtedly of value to the corporation; and the city occupies the same position in purchasing that an individual or a corporation would occupy, and must pay for any valuable rights or privileges which the Ferry Company can convey.

It also appears to the Committee that the appraisers have put too low an estimate upon the wharf and dock property owned by the company on the East Boston side. In other respects the appraisal appears to us as substantially correct.

After a careful examination of the facts presented to them, the committee are of the opinion that $275,000 would be a fair estimate of the value of the property, rights and privileges which the Ferry Company has offered to sell to the city for $350,000.

Believing that the time has arrived when the best interests, not only of East Boston, but of the whole city, would be greatly promoted by having the ferry owned by the city, and operated by commissioners chosen by the City Council, the committee would recommend its purchase in the manner authorized in the act of incorporation, as quoted at the beginning of this report.

In regard to the management of the ferry after it comes into the possession of the city, it would be premature to do anything more at this time than to state, that the citizens of East Boston have not, as yet, asked for free communication with the city proper; and that it will give satisfaction if a sufficient rate of toll is established to produce an income which will cover the current expense of maintaining the ferry, and pay the interest on the ferry scrip issued for the purchase.

The Commiteee would respectfully recommend the passage of the accompanying orders.

NATHANIEL SEAVER,
NEWTON TALBOT,
ALBERT S. PRATT,
ANDREW HALL,
THOMAS DINSMORE,
JOSEPH T. RYAN,
JEREMIAH H. POTE,
Majority of the Committee.

Ordered, That the Joint Special Committee on the subject of the Purchase of the East Boston Ferries be, and they are hereby, authorized to negotiate, with full powers, for the purchase of all the franchise, property, rights and privileges owned or held by the East Boston Ferry Company, for a sum not exceeding two hundred and seventy-five thousand dollars.

Ordered, That the Treasurer be authorized to issue, under the direction of the Committee on Finance, certificates of debt to be denominated "Boston Ferry Scrip," in the manner provided by Chapter 244, of the Acts of the year 1852, to an amount not exceeding the sum of two hundred and seventy-five thousand dollars.

Mr. Poor of Ward Eleven made a minority report, in which he states that he deems the purchase by the city inexpedient, and that "the convenience of a portion only of the inhabitants of the city is affected by the maintenance of communication between East Boston and the city proper; and it would be manifestly contrary to the plainest principles of good government to make all sections of the city equally responsible for transportation to one section, to the almost exclusive benefit of that section. To the extent that the interests of certain citizens are dependent upon ferry facilities, the city has, at the present time, sufficient control." "Only the most pressing exigency, such as the inability of private enterprise to furnish means of communication, would justify the city in taking possession of, and operating the ferry. Clearly such an exigency does not exist at the present time. The citizens of East Boston are only suffering under inconveniences which have always existed, and which are inseparable from their location.

It may properly be assumed, in view of the present condition of the question, that the real motive for urging that the city should take possession of the ferry is to establish free transportation. Undoubtedly that would be the result in a very short time, and the city would be burdened with an annual tax of $150,000 or $200,000 to cover the current expenses of maintaining the ferry and pay the interest on the ferry scrip."

The report was assigned for consideration on Monday next.

Alderman Bradlee, from the Committee on Ordinances, reported an ordinance to amend an

ordinance concerning the assessment and collection of taxes.

The ordinance provides for amending section 1, existing ordinance, line 12, and section 3, line 3, by substituting "22" for "19." Also, by striking out all after the word "each" in the fourth line of the fourth section, and inserting in the place thereof the following: "Assessment District; and the Board of Assessors shall annually in the month of January, on or before the fifteenth day thereof, file with the City Clerk the number, not exceeding twenty-two, of Assessment Districts within the City, with their location and boundaries; and each Assessment District shall be wholly within one ward. Each Second Assistant Assessor shall be a resident of the ward within which is located the Assessment District for which he is elected. For their services said Assistants shall receive such compensation as the City Council may from time to time determine."

Also, by adding to the seventh section the following: "It shall be the duty of one or more of the Assessors, when not engaged in office business, to accompany the First and Second Assistant Assessors in their several districts, to assist and direct them in the discharge of their duties, and to especially require of them that their valuations and methods shall be in conformity to law, and uniform in their operation throughout the city."

Also, by striking out the sixteenth and seventeenth sections.

The ordinance was read twice and passed.

ORDERS OF NOTICE.

On the proposed widening of Bedford street at the corner of Chauncy street and at Nos 31 and 33 Bedford street. Hearing Monday, October 11, 4 P. M.

On the proposed laying out of a street thirty feet in width, bordering on and adjoining the southeasterly side of the Boston & Providence Railroad, from Dartmouth to Northampton streets. Hearing Monday, Oct. 11, 4 P. M.

On the proposed laying out of Woodward street as a public way. Hearing Monday, October 11, 4 P. M.

On the proposed laying out of Ontario street, between Sixth and Swan streets, also of Colony street, between Sixth and Swan Streets. Hearing Monday, October 11, 4 P. M.

On the proposed laying out of Yarmouth street, of West Canton, Holyoke, Pembroke, West Newton, Rutland, West Concord, Worcester and West Springfield streets and of West Chester park, between Columbus avenue and the Boston & Providence Railroad. Hearing Monday, October 11, 4 P. M.

ORDERS PASSED.

On motion of Alderman Hawes,

Whereas, It appears to this Board that Richard Meagher maintains and uses a steam boiler and engine at his premises, No. 31 Way street, without having obtained a license therefor pursuant to law, and that said boiler and engine are a cause of nuisance to that neighborhood; it is hereby

Ordered, That said Richard Meagher be notified to discontinue the use of said boiler and engine on and after the 1st day of October next, ensuing, or he will be prosecuted pursuant to law.

On motion of Alderman White,

Ordered, That there be allowed and paid the sum of $800, the cost of a new omnibus purchased for the Health Department, for the conveyance of prisoners in this city to and from the courts, &c., said amount to be charged to the appropriations for Health.

Ordered, That certain nuisances be abated, caused by stagnant water on Sawyer, Wendell and Lenox streets.

On motion of Alderman Baldwin,

Ordered, That the order passed July 26, 1869, approving the armory for Company K, 9th Regiment, M. V. M., at an annual rental not exceeding $800, take effect June 25, 1869.

On motion of Alderman Fairbanks,

Ordered, That the Superintendant of Sewers be directed to construct a common sewer in Hanover street, between Tremont Row and East buildings.

Ordered, That certain bills be collected for sewer assessments in Eustis street, amounting to $1261 34; on Culvert, Cabot and Vernon streets amounting to $3339 46; on Purchase street, $1480 36 and on D street, $562 28.

On motion of Alderman Pratt,

Ordered, That the Chief of Police be and he is hereby ordered to notify Messrs. Charles W. Kennard & Co. to remove the iron shade frame in front of premises occupied by them at 122 Tremont street, within ten days, the same being an obstruction to the proper lighting of the street, and if not so removed, that he be authorized to remove the same according to law.

On motion of Alderman Rice,

Ordered, That the sum of $1000 be appropriated towards the alteration of the ceiling in the rotunda of the jail and the other repairs mentioned in the order of the Board of Aldermen, approved March 30th, 1869, said additional sum, together with the amount appropriated for that purpose on the 30th March, amounting in the aggregate to $5900, to be charged to the County of Suffolk.

On motion of Alderman Talbot,

Ordered, That there be paid to John Foster the sum of $1250, for damages occasioned his estate No. 5 Humphrey place, by its reduction to the newly established grade of the Fort Hill territory, by a resolve of August 31, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to John Foster $5407, for land taken and damages occasioned—including grade damages—by the widening and grading of Washington avenue, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Thomas D. Quincy, Treasurer of the Boston Seaman's Friend Society, $5000 for damages occasioned by the grading of Purchase street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to James Power and Patrick H. Powers the sum of $3814, for land taken and damages occasioned by the widening of Federal street, by a resolve of June 6, 1869, the said land having been taken in the name of Jeremiah Brown, the same to be charged to the Federal Street Loan.

Ordered, That there be paid to Alpheus Hardy and others, trustees for the heirs of Joshua Sears, $2500 for damages occasioned by the grading of Purchase street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized, in the settlement of damages caused by the widening and grading of Washington avenue, to purchase of Kennedy Callaghan his estate on said avenue for a sum not exceeding $5000, the same to be charged to the Fort Hill Improvement Loan.

Ordered, That the Committees on Laying Out and Widening Streets, and on Paving, be authorized to contract with the Boston Water Power Company for the conveyance to the city by said company of the streets lying between Columbus avenue and the Boston & Providence Railroad, and also to purchase of said company such sewers as may have been laid in said streets, upon such terms as the committees may deem proper.

On the last reading of the above order, Alderman Talbot stated that it was desirable the streets referred to should be accepted and put in proper order as soon as possible. The Boston Water Power Company had expended on this territory from $40,000 to $50,000 for sewers, and there was some grading to be done. The proposition was that the city should purchase these sewers, and lay an assessment on the abutters for three-fourths of the amount, and the other fourth would be paid by the company in consideration of the grading of the streets which would be required. It was believed that the city would be accomplishing a good work in doing so.

Ordered, That the betterment assessed on Chas. Roethe, No. 14 Avon place, for the opening of Avon place, be apportioned into three equal parts.

Alderman Talbot stated that Mr. Roethe was absent from the country when the betterment was assessed.

On motion of Alderman James,

Ordered, That the Superintendent of Streets be directed to pave a portion of Maverick square with concrete pavement, at a cost of $3000.

Orders were passed to meet the jail requisition, and to pay bills of persons directly or indirectly connected with the City Government.

Alderman Hawes offered the following order:

Ordered, That the Committee on Public Buildings be authorized to purchase a lot of land on D street, between First and Third streets, suitable for the location of an engine house, for a sum not

exceeding $5000, and also to erect thereon an engine house, at an expense not exceeding $30,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $35,000, to be applied to the purchase of land, and the erection thereon of an engine house in South Boston.

Alderman Talbot raised the question whether these orders came from the Committee on Public Buildings, to which it was replied by Alderman Richards that they did not.

The orders were read and referred to that committee.

ORDERS PRESENTED.

Alderman Talbot, from the Committee on Streets, reported an order that there be paid to the heirs of Jonathan Patten $30,058 80 for land taken and all damages occasioned by the widening of Eliot street, by a resolve approved Nov. 13th, 1868. Also an order to pay the heirs of Jonathan Patten $18,277 53, for all land taken and all damages occasioned by the widening of Tremont street, by resolves approved June 6th and August 14th, 1868. Both of these orders were read once.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## SEPTEMBER 30, 1869.

The regular weekly meeting of the Common Council was held this evening at 8 o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The following reports were accepted in concurrence:

Report, leave to withdraw, on the petition of C. G. Brewster, for modification of restrictions on estate 636 Tremont street.

Report that no action is required on the petition of H. G. Barrows for the removal of a wooden building from the public lands in the rear of East Brookline street.

Report that no action is necessary on the request of the School Committee for accommodations for deaf mute scholars.

The reference to Committee on Public Buildings, of orders for authority to purchase a lot on D street, between First and Third streets, for an engine-house site; and for a loan of $25,000 for the land, and the erection of an engine-house thereon, was concurred in.

The order authorizing the purchase of the estate of K. Callaghan, in settlement of damages for the widening of Washington avenue, at an expense not exceeding $5000, was read once.

The order to pay bills of October draft was read twice and passed.

The order authorizing a contract to be made with the Boston Water Power Company for the conveyance to the city of the streets between Columbus avenue and the Boston & Providence Railroad; also, for the purchase of such sewers as may have been laid in said streets, was considered.

Mr. Keith of Ward Fifteen did not like this proposition of buying streets and sewers of the Water Power Company which the State had paid for, and hoped the order would be referred to the Committee on Streets on the part of the Common Council. At present, the Council had no knowledge whatever of the contract.

Mr. Ingalls of Ward Twelve thought if the gentleman from Ward Fifteen understood the matter properly he would not have made the motion to refer, but would have allowed the order to pass. Not a dollar of the cost of these sewers would come out of the city treasury, the abutters being required to pay three-fourths, and the Water Power Company, by the proposed agreement, would lose one-fourth of the expenditure made by them. He hoped, therefore, that the gentleman would withdraw his motion and let the matter go through.

Mr. Keith said his object was to obtain information on the subject, and to have an understanding whether the city would be required to purchase these sewers at its own expense. He would like to know whether the City Solicitor was of opinion that the city had the power to enforce the collection of these sewer assessments, made by the Water Power Company. If the explanation of the gentleman from Ward Twelve was correct, that the city was not liable for the cost of the sewers, that altered somewhat the position of things.

Mr. Ingalls said this order authorized a purchase of the sewers, if the committee saw fit to do so. As soon as the Water Power Company part with their possession of these sewers they lose all power to collect the assessments. The city guarantees to pay to the company what it may collect on these assessments, but is in no way liable for the expense.

Mr. Keith wished to have the city properly protected in the matter. It was not wise to buy outright the sewers in question. There had long been a conflict between the Water Power Company and the abutters in relation to the cost of the sewers, which the abutters were unwilling to pay. If, however, it is as represented, that the city is to pay to the company only such sums as the abutters may pay, it may be harmless, yet it may involve the city in lawsuits.

Mr. Snow of Ward Eleven said he had been called upon by a gentleman interested in this matter, to help pass this order, but he agreed with the gentleman from Ward Fifteen, that it should be referred to the Committee on Streets. It had been urged that the acceptance of these streets had been delayed a year to the detriment of the people in that territory, and if so, he could not see why it should not wait a week. It would be no detriment to it to have it lie over. He did not believe there were a half-dozen members who were ready to vote upon it properly. The gentleman from Ward Twelve did not come from the City Solicitor by authority. The order should be referred, and the City Solicitor should be consulted as to its effect, and the city should take such action as it can stand by.

Mr. Ingalls stated that the abutters are willing to pay the expense on entering the sewers, and it was understood this agreement was proposed as a means of saving time. This order merely authorized the committee to make this agreement. It would be favorable to the city and to the abutters, and it was hoped that the agreement would be made so that the streets may be accepted and put in order the coming fall. So long as the streets are unaccepted by the city, they cannot, as was stated to the Board of Aldermen, be lighted by the proper department.

Mr. Wadsworth said the fact that there had been a controversy, was a sufficient reason why the order should be referred to the Committee on Streets. If those streets are to be in darkness, surely all the members of the council were in the same condition with regard to this matter. If the parties interested had been waiting a year, the council should wait a week to act understandingly and see what they are doing.

The motion to refer was carried.

An ordinance to amend an ordinance concerning the assessment and collection of taxes, City Doc. 89, 1869, being on its passage, Mr. Rich of Ward Fourteen said, in explanation of the last part of the amendment, that it placed all the authority in the hands of the asssessors in relation to the assessment districts which is now reposed in the City Council. The reasons given are that if not made an amendment will be required in the city ordinances when Dorchester becomes a part of the city. Believing the reason to be too trivial, he was opposed to it, and moved to strike out the third paragraph in the ordinance, relating to assessment districts and their number.

Mr. Osborn of Ward Six said it seemed to him that the gentleman had raised a bugbear. He would like to know who it was that made the exceptions of Wards One, Two, Four and Five, which are divided into two districts, but the City Council. The City Council should provide how many districts the city should be divided into, and this gives the authority to the Assessors, which we ought to give. If they are not the men in whom the City Council can confide, they are not the men who should be in the office of Assessors. The City Council has put confidence in them and acted up to their advice. The amendment simply proposes a slight change in the phraseology, and it can be better done now than three months hence.

Mr. Rich stated that in the wards in which there were two Assistant Assessors, the two had the entire ward, and not each a district in that ward. The only argument for the amendment proposed is to prevent an amendment being made in the ordinances the coming year. It was doubtful whether the ordinances could be printed before a change would be made in them. The present arrangement was made in 1867, before the admission of Roxbury was effected. Other matters relating to Dorchester will require amendments. It is probable that another Engineer of the Fire Department will be needed for that ward, an Overseer of the Poor, and other officers. The reason was too small in favor of a change, as proposed by this amendment.

Mr. Osborn stated that the exceptional districts had been divided by the assessors and not by the Council. The Council gave them the power, and this did not give them any more. These amendments had been made at the request of the assessors; men who can be trusted. The limiting of the number of assessment districts he regarded as a salutary measure.

Mr. Kingsbury of Ward Fifteen inquired if the ordinance had been referred to the Committee on

the Assessors' Department, and moved a reference to that committee.

Mr. Ingalls opposed the reference, and hoped the amendments to the ordinance would pass at once.

The motion to refer was lost, and the motion to strike out was also lost.

A motion was made for a suspension of the rules, which was carried, when the ordinance was verbally amended, read a second time and passed.

The order appropriating one thousand dollars towards the alteration of the ceiling of the rotunda of the jail, and the other repairs to the jail mentioned in the order of the Board of Aldermen approved 30th March, 1869, was read once.

The order for a loan of one hundred and twenty-five thousand dollars, to be expended in laying pipes and establishing hydrants in Wards, 13, 14 and 15, Boston Highlands, was passed, by a vote of 49 yeas, no nays.

Mr. Ingalls presented a petition from Francis H. Underwood, asking for such a change of conditions in the deeds of a lot of land sold by the city to John M. Scott, that a breach of conditions shall work a forfeiture of land only to the offending parties.

Mr. Ingalls offered the following order:

Ordered, That the Mayor of the City of Boston be authorized to execute, and the Superintendent of Public Lands to countersign to and with said Underwood, declaring that the conditions set forth in the deed to John M. Scott, recorded with Suffolk Deeds, lib. 857, fol. 82, have thus far been complied with, and that the dwelling house erected on said land by said Scott, and now occupied by said Underwood, is erected in compliance with said conditions and is satisfactory to the city; and, furthermore, that in case of any breach hereafter of said conditions, such breach shall work a forfeiture only of the estate of the party so offending, and shall not affect or impair the estate of or title of any innocent party now or hereafter claiming under the subdivision of said land, as made by the said deed of the said Scott, as appears by his deed thereof recorded with Suffolk Deeds.

Mr. Ingalls stated in explanation of the petition and order, that John M. Scott obtained two lots of land from the city on one deed, and had built two houses on these lots, one of which was sold to Mr. Underwood, and the other to Charles H. Parker. On looking up the title to obtain money from a public institution, it was found that a loan could not be made, unless the land was relieved from liability on the owner of the adjacent land. This order was similar to one passed in July, 1867. The difficulty had not been discovered until today. As the money had been engaged, it was desirable to have the order passed so that it may go to the Board of Aldermen at its next meeting.

Mr. Wadsworth of Ward Four said there were precedents so far as the division of lots was concerned, but he did not know of any in a case where buildings had been put up on the lots. He was willing to vote to relieve one lot from liabilities of the other, but in this case, not knowing anything about the buildings which may have been put up, or whether there were any, he would move to refer the order to the Committee on Public Lands. There would be but a delay of two days, and the action of the City Council would be safe.

Mr. Ingalls was sorry to disagree with the gentleman. He could assure him that there were buildings on the lots. The order could pass here, and if wrong it would be an easy matter to stop it in the next meeting of the Board of Aldermen. There was no way in which the city could be injured, while a delay of one week would result from referring it to a committee. Meantime the Committee on Public Lands would hold a meeting and this subject would be brought before them. If not right the order could be stopped in the other Board.

Mr. Wadsworth said it would be of no use to examine after the order was passed. There were precedents for making such releases on lands, but not where there were buildings, without reference to the Committee on Public Lands.

Mr. Ingalls further stated that this was an exact copy of an order passed July 8, 1867.

Mr. Wadsworth repeated the inquiry why it should not be referred to the Committee on Public Lands. It was merely a formal and technical matter, and would cause a delay only of two days.

Mr. Ingalls replied that two days were important where a bargain had been made for money.

Mr. Hall of Ward One said it seemed to him that this had better go through tonight, when the Committee on Public Lands would have the subject before them tomorrow, and it would pass the Board of Aldermen at its next meeting.

The motion to refer was taken and pronounced to have been carried by a vote of 22 to 19.

Mr. Ingalls moved a verification, by yeas and nays.

Mr. Wadsworth raised a question of order, that it was too late after the vote had been declared to have such a verification.

The chair ruled that the motion was in order.

The chair called upon the members to respond to the yeas and nays.

Mr. Nelson of Ward Nine raised the question that no vote had been taken on ordering the yeas and nays.

The yeas and nays were ordered, 17 being in its favor.

Mr. Ingalls wished to make an explanation, and was proceeding to make one, when called to order by Mr. Snow of Ward Eleven.

The question was taken by yeas and nays, and the reference was lost by a vote of 21 yeas, 26 nays.

The chair ruled that as the order involved a penalty, it must go over under the rule, and take its second reading at the next meeting of the Council.

Mr. Ingalls replied that the order rather designed a release from a penalty.

The Chair further stated that it it released a penalty in one case it imposed one in the other. A penalty underlies the order.

Mr. Ingalls at first appealed from the decision of the Chair, but withdrew it and moved a suspension of the rules.

The motion was put and negatived, but the vote being doubted, Mr. Ingalls expressed a hope that, as a test question had been made and decided in the case, no one should now hesitate to vote for a suspension of the rules, and allow the order to pass. He declared it to be ungenerous to take advantage of the necessity of suspending the rules.

Mr. Keith of Ward Fifteen said he had not intended to say a word, but when the gentlemen undertook to crack a whip over his head to influence his course of action, he should oppose the motion. The first motion for a reference was carried, but under the yeas and nays the reference was lost. Now having carried a majority in his favor, the gentleman wishes to force a passage of the order, without examination. The order binds the Mayor to do a certain thing, but what did the Council know about the matter? The city saw fit to put restrictions on the land, and Mr. Underwood, as a lawyer, ought to have known what these restrictions were. Having found it desirable to have them removed, he comes before the Council and asks that the Council vote in the dark. We have a City Solicitor, and if on reference to him he says it is right, he would vote for it. But he could not sit here quietly and be read out of the society of gentlemen, because he saw fit not to be willing to vote in the dark.

Mr. Ingalls was sorry to be accused of cracking a whip over the head of any one, and in doing so the gentleman was pursuing an unfair course. He had no interest in the matter, which concerned a neighbor, who did not live in Roxbury but in South Boston. He only wanted a fair vote and did not intend to crack a whip over any one.

Mr. Keith said the Council should have the information necessary to a proper action before the matter goes to the other board. If it may be passed on the plea of going to a committee afterwards the same may be done in the other branch.

Mr. Ingalls commenced a reply, when Mr. Osborn expressed the opinion that the debate had gone far enough, while there was no question before the Council.

Mr. Ingalls said the question was on the suspension of the rules.

The Chair stated that the question had been put, and that the question was on solving the doubt.

Mr. Rich moved that Mr. Ingalls have liberty to proceed.

The Chair stated that he might proceed in his remarks if no objection was made.

Mr. Osborn objected.

The question was taken, and there appeared to be but twenty-one in favor of suspension of the rules.

Mr. Ingalls called for the negative vote.

The Chair stated that there was no necessity for it, there not being a sufficient number for a suspension of the rules.

Mr. Tucker of Ward Six presented the petition of Thos. Hussey for an extension of time for building on East Concord street. Referred to Committee on Public Lands.

EXTENSION OF WASHINGTON STREET.

Mr. Richards of Ward Eight, from the Committee on Streets of the Common Council, to whom was referred the resolve in favor of the extension of Washington street from Cornhill to Haymarket square during the present municipal year, made a report, as follows:

"The purpose of the resolve is to obtain an expression of opinion from the City Council upon the expediency of extending Washington street in a certain direction this year. The proposed extension has not yet been laid out and surveyed, but an approximate estimate of the expense of the extension by different routes was submitted to the Board of Aldermen before the passage of the above mentioned resolve by that body. It appears from that estimate that the cost from Cornhill to Haymarket square is placed at the sum of $1,025,000, and the widening of Portland street from Hanover street to Washington street extended at $150,000; making the total expense on that plan $1,175,000.

The estimated expense from Cornhill to Sudbury street, through Portland street, is $890,000, and from Sudbury street to Causeway street $210,000, making the total expense by that route $1,100,000, or $75,000 less than by the Haymarket square route.

It is estimated roughly that the assessment for betterments would amount to twice as much by the extension to Causeway street as it would by the other route. It should be stated, however, that assessments off the line of the street were not taken into consideration at all; if they had been, the difference between the two lines would not have been as great.

As the extension is a matter of very great importance to the citizens of Boston, and involves a large expenditure of the public money, it requires the most careful consideration, based upon accurate estimates and surveys. The estimates furnished are insufficient to form an intelligent judgment upon; and in the opinion of your committee it would be inexpedient to take any action on the resolve until the Board of Aldermen make and record the estimate required by the third section of chapter 266 of the Acts of the year 1852.

The report was accepted, and on motion of Mr. Keith, the resolve on the extension of Washington street was laid on the table.

ORDER PASSED.

On motion of Mr. Flynn of Ward Seven,

Ordered, That the Committee on Streets, on the part of the Common Council, be requested to consider and report by and upon what authority the grade of Broadway was changed from the original plans and surveys made by N. Henry Crafts, City Engineer, and Thomas W. Davis, City Surveyor, and passed by the City Council on the 29th day of said April, 1869, and approved by the Mayor, at an expense of $550,000, and whether or not the grade as passed by the City Council should not now be adhered to by the City Council, without any further expense being incurred by the city for the payment of grade damages, and that the said committee be requested to consult the City Solicitor in relation to the matter.

Mr. Osborn moved a reference to the Committee on Public Lands of the order upon the petition of Mr. Francis H. Underwood. By such a reference he hoped a happy conclusion would be reached.

Mr. Hall of Ward One inquired if it was designed to refer it to the Committee on the part of the Common Council.

Mr. Osborn replied, the Joint Committee, in which it could informally be acted upon in time for the meeting of the Board of Aldermen on Monday.

The motion was carried.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## OCTOBER 4, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Four Grand Jurors were drawn for the United States Circuit Court.

APPOINTMENTS MADE AND CONFIRMED.

Joseph A. Brown, at Saratoga Street Methodist Episcopal Church, East Boston, a special police officer without pay.

Constables—John D. Reed, Elijah D. Foss.

PETITIONS PRESENTED AND REFERRED.

John Lennon, to be paid for injuries received from ball players on the common. Referred to the Committee on Claims.

Lucy Morton, to be paid for a lost coupon of city stock. Referred to Committee on Finance.

Massachusetts Teachers' Association, for use of Faneuil Hall, Oct 22d, for a festival. Referred to Committee on Faneuil Hall.

Josiah Quincy and others, to be paid for land damages caused by the laying out of Atlantic avenue.

H. C. Prescott and others, that Trumbull street be accepted.

Proprietors of Long Wharf, to be paid for damages caused by laying out Atlantic avenue

Abigail H. Pratt (Trustee), and others, to be paid for land damages occasioned by laying out of Atlantic avenue.

Henry Sigourney, to be paid for land damages caused by the laying out of Atlantic avenue.

Calvin Ellis and others, to be paid for land damages occasioned by the laying out of Atlantic avenue.

B. P. Chamberlain, to be paid for land damages occasioned by the laying out of Atlantic avenue.

John Newcomb and others, that the line of Hawthorne street at its junction with Cedar street, be straightened.

John E. Wasserboehr and Mark Salom, severally to be compensated for damages to leasehold estates on Hanover street, at the corner of Court street.

David Snow and others, that Merchants' Row be widened.

Severally referred to the Committee on Streets.

Company F, First Regiment, M. V. M., for an armory at 1867 Washington street. Referred to Committee on Armories.

J. B. Glover, that the High street sewer be extended towards Federal street.

L. H. Jones, for a sewer in Sixth street, between Federal and Colony streets.

Samuel A. Way, that the sewer in Castle street be opened and cleaned.

W. W. Baker and others, that work on Concord street sewer be suspended at Shawmut avenue.

Severally referred to the Committee on Sewers.

E. S. Coleman and others, that Maverick square from Henry street to Sumner street, be repaved.

S. G. Rogers, that he be paid for damages for change of the grade of Lambert street.

Metropolitan Railroad Co., for location in Temple place.

Thos. J. Whidden and others, for a grade and drain in the street rear of Union park.

Severally referred to the Committee on Paving.

Daniel Breen and others, for a lamp at the head of Livingston place. Referred to the Committee on Lamps.

Albert Hastings, for leave to remove two trees from the sidewalk at 790 Washington street. Referred to the Committee on Common and Squares.

George M. Ash, for a license as an auctioneer, at 275 Hanover street. Referred to the Committee on Licenses.

NOTICES OF INTENTION TO BUILD.

Christopher Roop, 10 Paris street; W. W. & J. F. Bennett, 221 Havre street; Patrick Mulhearn, Kemble street, near Girard street; Geo. E. Clark, Woodward street; Keyes & Kelley, Gold street, between C and D streets; Maurice Curry, corner B and Gold street; Keyes & Kelley, 289 Fourth street; Horace M. Wilson, 91 Avon place; James McCormick, Longwood avenue, near Parker street; Linley Logan, Fifth street, between C and D streets; David Irving, Decatur street, between Bremen and Chelsea streets; Patrick Twomey, London street, between Porter and Bennington streets; T. K. Daunt, Tudor street, between B and C streets; F. D. Osgood, corner of Cedar and Hawthorn streets; Harvard O. Wheeler, Cortes street; Geo. V. Leicester, 339 Tremont street; Henry Orchard, Baxter street; James W. Leatherbee, 330 Federal street. Severally referred to the Committee on Streets.

A communication was received from the Winthrop Railroad Company, accepting the location of the Board of Aldermen, under the order passed August 31, 1869. Ordered to be placed on file.

QUARTERLY REPORTS.

The quarterly reports of several departments of the City Government were made, as follows:

SUPERINTENDENT OF PUBLIC LANDS.

The sales of land under the direction of the Committee on Public Lands, for the quarter ending Sept. 30th, were as follows:

One lot on Harrison avenue, Albany, Dover and Bristol streets, containing 102,735 feet, at $1 62½ per foot, $166,944 38. Four lots on East Newton street, 22,099 feet, at $1 12 3-16, $26,984 71. Seven lots on Newbury and Berkeley streets, 16,800 feet, at $3 90 5-16 per foot, $65,570 40. Four lots on East Chester park, 8364 feet, $1 50 per foot, $12,546. One lot on Broadway, 11,875 feet, 65 cents per foot, $7718 75. One lot on N and Third streets, $18,750 feet, 65 cents per foot, $12,187 50. One lot on Albany street, 3678 feet, $1 25 per foot, $4597 50. One lot on Dedham street, east of Harrison avenue, 5520 feet, $1, $5520. One lot on Bristol street, 202 feet, for $100. Total, thirty-two lots, containing 190,023 square feet, for $302,169 24.

Of the foregoing amount there have been received in cash by the Superintendent and paid over to the Treasurer the sum of $30,440 24. And there has been taken in bonds from the purchasers payable in nine annual instalments with interest, $271,729. Total, $302,169 24.

The Superintendent has also received and paid over to the Treasurer the following sums:

On account of laying out Bristol street, $700; extension of time for building on a lot of land on Harrison avenue, $300; construction of sewer in passageway leading from Berkeley street, $240; sale of old buildings on Dover street bridge, $104; rent of land on South Bay and South Boston, $242 09. Total, $1586 09.

The expenditures were as follows:

Salary of Superintendent, $450: paid for lithographic plans and commission in selling land by auction on Newbury and East Newton streets, $598 07; paid for edgestones and paving of sidewalk on Broadway, between K and M streets, $376 56; paid assessment for sewer on F street, per order of Board of Aldermen, $353 05; paid to the town of Hull for tax on Great Brewster island, $11 44; paid for removal of gravel from land on South Bay, and removing snow from sidewalks in front of city lands at the South End and South Boston, $52 50; expenses of committee, $17 20; carriage hire, $12 50; printing, $3 35; expenses of Superintendent to Leominster and Dedham, $5 30—total, $2179 97.

Read and ordered to be sent down.

SUPERINTENDENT OF HEALTH.

There has been expended by this department, for the quarter ending Sept. 30, as follows:

For sweeping and cleaning the streets, the removal of ashes and offal, abating nuisances, clearing cesspools, &c., $76,140 20.

The demands against sundry parties for abating nuisances, team work and material sold, the same having been deposited with the City Treasurer for collection, $11,442 56.

The amount paid into the city treasury and the same placed to the credit of the department for the quarter, $10,787 37.

The number of prisoners conveyed from the several station houses to city lockup under the Court House was as follows: males, 1811; females 778—total, 2589.

SOLDIER'S RELIEF.

The paymaster of the Soldier's Relief Committee, made a report for the quarter, as follows:

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|---|---|
| Balance on hand July 1 | $908 |
| Received from the Treasurer of Boston at various times during the quarter | 24,000 |
| | $24,908 |
| Distributed to disabled soldiers and sailors and their families | 24,576 |
| Leaving a balance on hand of | 332 |

The applicants and the amount in the several wards were as follows:

| Wards. | Applicants. | Amount. |
|---|---|---|
| 1 | 91 | $1,679 |
| 2 | 137 | 2,510 |
| 3 | 96 | 1.787 |
| 4 | 64 | 1,015 |
| 5 | 128 | 2,387 |
| 6 | 49 | 756 |
| 7 | 177 | 3,231 |
| 8 | 85 | 1,409 |
| 9 | 61 | 904 |
| 10 | 71 | 1,270 |
| 11 | 70 | 1,177 |
| 12 | 71 | 1,246 |
| 13, 14 and 15 | 187 | 3,283 |
| Out of State | 48 | 833 |
| U. S. Navy | 60 | 1,089 |
| | 1,370 | $24,576 |

SEALERS OF WEIGHTS AND MEASURES.

Wm. F. Reed, Sealer of Weights and Measures for the Northern District, reported receipts for the quarter ending Sept. 30th, $427 05.

John D. Cadogan, Sealer for the Southern District, reported receipts for the quarter amounting to $473 84, all of which was paid into the City Treasury.

INSPECTORS OF LIGHTERS.

The report of the Inspectors of Lighters showed receipts for the quarter of fees amounting to $1742 90; expenses of office, $52 58; the net income, $1690 32, was divided between the inspectors.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the proposed widening of Bedford street was taken up.

H. A. Thomas objected to the proposed widening at the corner of Washington and Bedford streets, and hoped the Board would be as lenient as possible. No other person objecting, the report was recommitted.

The hearings on the petitions of Seth Wentworth, to be allowed to put up a steam engine and boiler in Wareham street; of Jacob Rand & Co., for a steam engine and boiler 21 and 23 Wareham street; and of B. D. Whitten, for a steam engine and boiler, No. 27 Wareham street, were severally taken up. No person appearing in either case, the reports were recommitted.

The hearing on the proposed straightening of Shawmut avenue was considered.

Mr. John D. Stockman objected that the proposed widening cuts through several estates, one of which was his own, where many of his children were born, and which estate would be greatly damaged. The widening was not called for, and it would destroy many estates which were now beautiful, particularly that of the Universalist church. He had no land to move back on, and the extension would cut off fourteen feet from his front land, which would make it necessary to leave the place.

Dr. Joseph H. Streeter also objected to the proposed widening, and submitted a remonstrance from the First Universalist Church, which he read, in which it was set forth that it would be a great injury to the church, that it would make the locality practically worthless; much expense had been laid out on the church the past year, and that the increased expense in the supposed improvement would not be warranted, nor the public convenience promoted. This was signed by seventy-eight of the parish. As the property now stands and has stood, it is amply convenient for the people of the parish. By the extension the larger portion of the chapel would be demolished. Improvements had been made last year, at a cost of many thousands of dollars. The church could not be removed to preserve its appearance, which is now an ornament. It takes away all of the chapel and a portion of the church. There will be a necessity for turning the church round and there would not be left sufficient ground for the chapel. Again, with a street on each side, it would be unfit for a religious society. Besides, if this improvement is carried out, in a year or two there will undoubtedly be a railroad track. So far as travel is concerned, two-thirds of the present travel from Shawmut avenue now pass up the hill. It is stated also that most of the travel is not teams but pleasure travel. Heavy teaming takes a direct course down Washington street.

It has been suggested that an improvement which has been asked for, one which will be permanent and for all time, will be the taking of the entire square, including the block where the Post Office now is, and if necessary the whole plat where the church is. Should this be thrown into a square, where there is a large amount of travel converging, it would be an improvement which can be made now at a reasonable rate, while it will undoubtedly be demanded in the future, and will be carried out as a necessity at a greatly increased expense over what it would cost at the present time.

Alderman Talbot expressed the wish that if there was any further opposition to this measure, it would be made known. Complaints had been made against the Committee on Streets, that they were doing nothing towards the improvement or laying out of streets in the Roxbury wards, and it was believed that this was a measure which will be acceptable to the people in that portion of the city.

Dr. Bartlett said he had not seen an individual in Roxbury who was in favor of this measure. It could not be any relief for travel, and it could not be of any advantage except to individual owners of land in the vicinity. An improvement was suggested by him, which he pointed out on the plan. One lady whose income is derived from a lot on the proposed extension, would have it taken almost entirely. He hoped a further hearing would be given on this proposed extension.

Alderman Talbot said the committee believed they had a prima facie case, and that the petition for the extension was signed by a large portion of the citizens of that section of the city. As a further means of ascertaining the public wishes, the committee called together the members of the Common Council from the three Roxbury wards, and eleven out of twelve were in favor of this measure. It appeared that many persons in that section of the city were in the habit of signing all petitions for improvement, and he could not tell whether there were any of them of the class indicated or not in favor of this improvement.

William Gaston said he appeared for Dr. Jackson, but hoped to have an opportunity of speaking upon the matter before the committee. In answer to Alderman Talbot, he said he did not know of any considerable number of the people of Roxbury who were in favor of this measure, while they did desire to have many improvements made in that section. He did not think the measure would be of any public benefit, but thought that $150,000 to $200,000 could be laid out elsewhere to good advantage. From his position, in having an office in that neighborhood for many years, he believed it gave him an opportunity to know something of the necessities for improvement, and gave a history of the laying out of the portion of Shawmut avenue in Roxbury, and stated how it happened that the two portions of the street were called by the same name.

The report was recommitted.

UNFINISHED BUSINESS.

The following orders were considered:

Ordered, That there be paid to the heirs of Jonathan Patten, (J. M. Keith, trustee), the sum of $30,058 80 for land taken and all damages occasioned by the widening of Eliot street, under resolve of Nov. 13, 1868, the same to be charged to the appropriation for laying out and widening streets.

Ordered, That there be paid to the heirs of Jonathan Patten, (J. M. Keith, trustee), the sum of $18,277 53, for land taken and all damages occasioned by the widening of Tremont street, under resolves of June 6 and August, 14, 1868, and that the order passed by this Board Sept, 28, 1868, to pay the said heirs $17,224, be hereby rescinded.

Alderman Bradlee stated that the orders were laid over by his request. The circumstances were substantially these: There were taken 1531 feet for the widening of Tremont and Eliot streets. An order was passed by which it was proposed to pay about $24 per foot for the land taken on Tremont street, which was understood to be satisfactory to the parties. For some reason the amount was not

taken, and when it was proposed to widen Eliot street, it was concluded to have the whole matter settled together. The order provides for the payment of $30,058—for land taken to widen Eliot street, being at the rate of about $37 per foot. It appeared that this estate was taxed in 1868 for $18,000, and now it is proposed by these orders, to pay $48,336, and there will be left for the Patten heirs, 311 feet of land, of much value.

Reference was made to the estate of the late Dr. Odin, on the opposite corner of Eliot street, which was settled for the land taken at $10 per foot, and the cost of the removal of the buildings. He could not see how this land could be worth so much more, and it should be considered in the further proposed widening of Eliot street, that this was establishing a high price, as a precedent, for the remainder of the estates to be taken on that street, when it is widened, which was merely a question of time, whether it should occur this year or lay over a year. He moved, therefore, that the report be recommitted to the Committee on Streets for further consideration.

Alderman Baldwin said he was glad to hear the views of the Alderman, and in answer would give the reasons which influenced the Committee on Streets on the subject, who believed the proposed settlement eminently judicious. The Committee endeavored to ascertain the fair value of this land, and had the aid of the Assessors in ascertaining its worth. They could not agree with the views of Mr. Keith, Trustee for the heirs, and several persons were brought before them who give their estimate of its value as follows: Ebenezer Johnson, a well known builder (known personally to most of the members of the Board) estimated the land at $18 a foot, which for 1574 feet would make the amount of $28,332; buildings, $18,700; plans, &c., $500. Total $47,532.

The estimate of Mr. Poland was as follows;

The whole estate of 1900 feet at $26 per foot would give $49,400; plans, &c., $500; total $49,900, There would be left 311 feet, which, at $12 per foot, would give $3732, and this deducted from the above sum would leave us the value $46,168.

The estimate of N. J. Bradlee was for 1531 feet of land, at $17 per foot, which would give $26,027; 43 feet at $4, $172; buildings, $15,708; plans, &c., $500; total, 42,407. The committee also made an estimate on what was paid for the adjoining property of Mr. Leukhardt, which would give $35,503 74, and adding one-third to the value as a corner lot would give $11,834 58; plans, &c., $500. This would give a total of $47,838 02. Making an average of the whole, would give $45,986. This would be reduced a few hundred dollars by the sale of materials.

Mr. Keith, the trustee, represented to the committee that the income of the heirs was mainly in the property, and that they greatly needed it, and he did not charge anything for his own services. As an evidence of the great advance in the value of property in that vicinity, he stated that the Grand Lodge of Masons, when they purchased the property they now own, offered for the Adams estate on the opposite corner of Boylston street, $7 per foot, and $8 was asked. The price now asked was $30.

Alderman Bradlee said he had no desire to bring Mr. Keith into the matter. It was simply a question between the Patten heirs and the city. He was aware of the estimates which had been made, and in relation to the estimate of Mr. Bradlee, he understood that estimate had reference to the taking of all the land of the Patten heirs at $17 per foot, which, after the proposed improvements have been carried out, would give a considerable return to the city in the sale of the remainder. He had in his own knowledge, the offer of land further down towards Boylston street, at $20 per foot.

Alderman Talbot stated that the report was that of the Committee, but it had been his judgment all along that the price asked for the land was too high. In all of these cases, where lands had been improved by the widening of streets, it was difficult to make a settlement except at high rates. He believed in such cases the owners of buildings upon the lands should consent to make some sacrifices on their structures. In his action upon this subject last year, the parties representing this estate endeavored to make a personal matter, and went so far, he was assured, as to go to the Mayor to induce him to leave him off the Committee on Streets. He did not care for such things, as he had endeavored to discharge his duty faithfully. He was of opinion that the price fixed by the Committee was the best which could be done, and the payment of it was the only way of avoiding suits of law.

Alderman Richards said that as a general thing he was opposed to the recommitment of a report unless some new light was to be thrown upon the subject. He did not believe that anything would be gained by recommitting, after estimates had been obtained from three such persons as had been referred to, fair minded men, in whose judgments reliance could be placed. In relation to the Odin estate, it should be remembered that there was land enough to allow the building to be moved back, and he referred to land sold by the city in the vicinity at $14 per foot. On a fair consideration of the subject, the price fixed upon was not large.

Alderman Baldwin read the statement of Mr. Bradlee again, contending that his estimate was exclusive of the land that would be left. He stated that the strongest support of the action of the committee would be found in taking the settlement of the next estate as a basis. By that basis, the value of this estate would amount to $47,848 and interest, while by the proposed settlement the amount will be about $45,200.

Alderman Bradlee said that with all due respect to the opinions of the gentlemen cited as witnesses—and one of them was a relative of his—there were others as competent, whom he had consulted, who believed the price much too high, and who would so testify before a committee of the Board or a jury.

The yeas and nays were ordered on recommitment, which was lost by a vote of 5 to 7, as follows:

Yeas—Bradlee, Hawes, James, Pratt, Rice.

Nays—Baldwin, Fairbanks, Richards, Seaver, Talbot, Van Nostrand, White.

The orders were then passed.

The orders for the purchase of the East Boston ferries were considered, and were read a second time and passed, without debate, by a vote of 11 yeas to 1 nay—Alderman Bradlee. The orders are as follows:

Ordered, That the Joint Special Committee on the subject of the Purchase of the East Boston Ferries be, and they are hereby authorized, to negotiate, with full powers, for the purchase of all the franchise, property, rights and priviliges owned or held by the East Boston Ferry Company, for a sum not exceeding two hundred and seventy-five thousand dollars.

Ordered, That the Treasurer be authorized to issue, under the direction of the Committee on Finance, certificates of debt to be denominated "Boston Ferry Scrip," in the manner provided by Chapter 244, of the Acts of the year 1852, to an amount not exceeding the sum of two hundred and seventy-five thousand dollars.

Alderman Bradlee moved to reconsider the rejection of report, "leave to withdraw," on petition of S. & A. R. Whittier for permission to move a brick building on Harrison avenue.

Alderman Baldwin said the petitioners had no disposition to press a matter, to which objection was made that the removal of the building would be a public inconvenience, and seconded the report.

The reconsideration was carried, and the report was accepted.

PAPERS FROM THE COMMON COUNCIL.

The following matters were concurrently acted upon:

Petition of F. H. Underwood for modification of condition of sale of land on Fourth street. Referred to Committee on Public Lands.

Petition of Thomas Hussey for extension of time in which to build on East Concord street. Referred to Committee on Public Lands.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Health, reported no further action necessary on petitions of Lahan S. Beecher and others, and of James Berry and others, for abatement of nuisances, orders having been passed for the abatement of the nuisances specified. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman James, from the Committee on Paving, on the petition of Elijah C. Drew against a change of grade of Harrison avenue near Castle street, reported no action necessary; also on petition of George Hinman and others that the edge-

stones on Winthrop street be reset. Severally accepted.

Alderman White, from the Committee on Licenses, reported licenses for wagon stands, transfer of wagon licenses, licenses for a billiard saloon, victualler, auctioneer, four newsboys and two boot-blacks. Severally accepted.

Alderman Richards, from the Committee on Fire Department, reported that a license be granted to F. H. Jenny to manufacture petroleum on First street. Accepted.

Alderman Pratt, from the Committee on Lamps, &c., reported in favor of the petition of the Superintendent of the Fitchburg Railroad Company that gas lamps be placed and lighted on Causeway street, at the corners of Haverhill and Beverly streets, and leave to withdraw on petition of James F. Laughlin and others for a bell on the church on the corner of London and Meridian streets. Severally accepted.

Alderman James, from the Joint Standing Committee on Public Lands, to whom was referred the petition of Francis H. Underwood for a modification of condition of sale of land on Fourth street, made a report, recommending the passage of the following order:

Ordered, That his Honor the Mayor be authorized to execute and the Superintendent of Public Lands to countersign an instrument satisfactory to the City Solicitor, to and with the parties interested, declaring that the conditions set forth in the deed to John M. Scott, dated April 10, 1865, and recorded with Suffolk deeds, lib. 857, fol. 82, have thus far been complied with, and that the dwelling houses situated on the land described in said deed are erected in compliance with said conditions, and are satisfactory to the city, and furthermore that in case of any breach hereafter of any of any said conditions, such breach shall work a forfeiture only of the estate of the party so offending, and shall not affect or impair the estate or title of any innocent party now or hereafter claiming under the subdivision of said Scott, as appears by his deed thereof recorded with Suffolk deeds.

The order was read twice and passed.

Alderman James from the Joint Standing Committee on Public Lands, to whom was referred the petition of Harriet Parmelee, that certain instalments paid by her husband, Ashley Parmelee, for land on East Lenox street, may be refunded to her, made a report, that being unanimous in favor of allowing the amount which has been paid upon the bond, recommend the passage of the accompanying order:

Ordered, That the Treasurer be and is hereby authorized to pay Harriet Parmelee the sum of $1243 98, it being the amount paid upon a bond given to the city by Ashley Parmelee, Sept. 20, 1860, for a lot of land on East Lenox street, the same to be charged to the appropriation for public lands.

Read once.

Alderman James, from the Committee on Accounts, made a report, in which they ask for the passage of the accompanying order, to meet a request of the Auditor of Accounts for additional clerk hire in his office, needed in consequence of the constantly increasing business of the auditing department of the government:

Ordered, That there be allowed and paid to the Auditor of Accounts for clerk hire, in addition to the amount heretofore allowed, the sum of $900 for the present salary year—said amount to be charged to the appropriation for salaries.

Read twice and passed.

Alderman Fairbanks, from the Committee on Sewers, submitted the following request:

The Committee on Sewers ask an additional appropriation of twenty thousand dollars for that department, to defray the necessary expenses for the remainder of the financial year.

| | |
|---|---|
| There has been expended from the regular appropriation the sum of..... | $66,686 48 |
| The sewers now building will cost..... | 16,000 00 |
| " " ordered by Board of Aldermen will cost..... | 6,000 00 |
| Ordinary expenses of department to May 1, 1870..... | 5,000 00 |
| | $93,686 48 |
| Appropriation of May, 1869..... | 75,000 00 |
| Deficiency..... | $18,686 48 |

Referred to the Committee on Finance.

FERRY TOLLS.

Alderman Seaver, from the Committee on Ferries, to whom was referred the writ of the Supreme Judicial Court, directing the Board of Aldermen to pass an order, without delay, raising the rates of toll to be charged by the East Boston Ferry Company, as prayed for in the petition of said company, or show cause to the contrary thereof, having consulted the City Solicitor thereon, respectfully recommend the passage of the accompanying order.

Ordered, That the East Boston Ferry Company be allowed to collect and receive the following rates of toll, namely:

PROPOSED SCHEDULE OF TOLLS.

Foot passengers, each three cents; children under ten years of age, two cents.

*Light Vehicles.* Pleasure carriages drawn by one horse, with not more than two persons and driver, fifteen cents; pleasure carriages drawn by two horses, with not more than four persons and driver, twenty-three cents; pleasure carriages drawn by three horses, with not more than six persons and driver, thirty cents; pleasure carriages drawn by four horses, with not more than eight persons and driver, thirty-eight cents; each additional passenger, three cents each.

*Teams*—Carts and wagons drawn by one horse, and not weighing more than 2000 pounds, fifteen cents; carts and wagons drawn by two horses, over 2000 and not exceeding 5000 pounds, twenty-three cents; carts and wagons drawn by three horses, over 5000 and not exceeding 6000 pounds, thirty cents; carts and wagons drawn by four horses, over 6000 and not exceeding 7000 pounds, thirty-eight cents. All loads measuring more than twenty-five feet in length over all will be charged the same rate as drag wheels.

*Trucks*—Drawn by one horse and weighing not more than 2000 pounds, twenty-one cents; drawn by two horses, over 2000 and not exceeding 5000 pounds, twenty-six cents; drawn by three horses, over 5000 and not exceeding 6000 pounds, thirty-eight cents; drawn by four horses, over 6000 and not exceeding 7000 pounds, fifty-three cents.

*Drag Wheels*—Drawn by one or two horses and weighing not more than 5000 pounds—loaded, fifty-one cents; not loaded, twenty-six cents. Drawn by three horses, over 5000 and not exceeding 6000 pounds—loaded, sixty cents; not loaded, thirty cents. Drawn by four horses, over 6000 and not exceeding 7000 pounds—loaded, seventy-five cents; not loaded, thirty-eight cents.

No load weighing over 7000 pounds (exclusive of carriage) allowed to pass over the ferry, unless by special permit of the Superintendent.

Ox teams the same as horse teams, one driver allowed to each team.

Teams to be weighed when required by the Superintendent.

The scale of weights and lengths for loads will be strictly adhered to; and if found to weigh more than allowed by the tariff (and not exceeding 7000 lbs.), the higher rate of toll will be charged.

Horses or oxen not allowed to be detached from the teams and paid for separately.

Each additional horse in a carriage or team of any description, eight cents; a horse with a rider or leader, eight cents; a man with a bandcart or wheelbarrow, eight cents; horses or oxen, not belonging to teams, each five cents; sheep, swine or goats, per dozen, nine cents; other cattle, each five cents.

*Baggage.* Each and every barrel not in cart or vehicle, five cents; each and every half-barrel not in cart or vehicle, three cents. All other articles in proportion.

Alderman Seaver stated that he found himself in a very embarrassing position in reporting this order for raising the tolls on this ferry. He then went into a statement of the action of the committee and of the ferry company during the past year, resulting in this mandamus of the Supreme Court. The ferry company stated that they were losing money, and that their receipts were but $370 per day. It was found by tellers that under unfavorable circumstances the count made the amount $431, or $61 more than that of the statement of the company. He did not doubt that under the increased rate the receipts would be $240,000 a year, or near the amount which the Board had voted to offer for the ferry property. With fifty per cent. increase the receipts would be increased to $611 a day. The committee had

endeavored in various ways to settle this question, but without doing so satisfactorily, and had reported in favor of the purchase. The people of East Boston are satisfied with the present rates, but wish for more accommodations. He predicted that in a twelvemonth the purchase will pay every dollar of the purchase and the interest on the money. The people of East Boston would be better satisfied to pay a double fare to the city, than a single one to the present ferry company.

Alderman Talbot made a statement also of the action of the Committee on Ferries last year, and it was the belief of the committee that if the books of the company were properly audited, it would be shown they were now receiving eight per cent. on their investment. When the mandamus came, they thought they should have a trial on the matter, but they were assured by the City Solicitor that there was no alternative but to raise the rates of toll. The only way in which they could meet the case would be to have a searching of the accounts of the company, and if they could show they were receiving more than eight per cent., then they could file a demurrer in the Supreme Court against the raising of the tolls.

The order was passed.

ORDERS OF NOTICE.

On the petitions of the following named persons for leave to build stables: Haley, Morse & Boyden, Harrison avenue; B. F. Sheffield, Ellery street; Samuel L. Rosnosky, Middle street; Patrick T. Gateley, Norfolk avenue and Gerard street; Thos. Lyford & Co., rear of Fulton and Richmond streets; H. & J. Pfaff, Pynchon street; Feronda D. Osgood, rear of 210 Ruggles street. Hearings, Monday, Oct. 11, 4 P. M.

On the petition of L. Prang & Co. and others, for the removal of the track of the Metropolitan Railroad Co. on Washington street, between Eliot square and Pynchon street; on the proposed laying out of Lamartine street, fifty feet wide, between Centre street and the line of West Roxbury; on the widening of Tremont street at the corner of Pleasant street, by taking 42 square feet of land; on the extension of Zeigler street forty feet in width, from Warren street to Guild row; on the proposed laying out of Ferdinand street; on the assessment of damages to estates by the laying out of Atlantic avenue. Hearings Monday, Oct, 18, 4 P. M.

On the petition of Richard Meagher, for leave to use a steam engine and boiler, No. 31 Way street. Hearing Monday, Oct, 25, 4 P. M.

EXTENSION OF WASHINGTON STREET.

On motion of Alderman Bradlee, it was ordered,

That the Committee on Laying Out and Widening Streets be, and they hereby are, directed to report to this Board the necessary resolves and orders for the extension of Washington street to Haymarket square, and also the extension of Portland street from Hanover street to the extension of Washington street.

On motion of Alderman Rice, subsequently, a reconsideration was carried, when he proposed an amendment to include the widening of Portland street from Hanover to Causeway street in the order, which was lost, and the order was again passed.

ORDERS PASSED.

On motion of Alderman Talbot,

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized to expend the sum of $973 for surveys and plans of the twenty-foot streets in South Boston, showing the boundary lines of said streets, and encroachments of buildings, fences, &c., and that the same be charged to the appropriation for laying out and widening streets.

Ordered, That the Committee on Laying Out and Widening Streets be, and they hereby are, authorized in settlement of damages caused by the widening and grading of Washington avenue, to purchase of Thomas Gorman his estate numbered 14, on said avenue, for a sum not exceeding $5250; and that the same be charged to the Fort Hill Appropriation Loan.

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized in the settlement of damages caused by the widening and grading of Purchase street, to purchase of the heirs of James B. Bulger their estate numbered 138 on the said Purchase street, for a sum not exceeding $8500, and that the same be charged to the Fort Hill Appropriation Loan.

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized in the settlement of damages caused by the widening and grading of Hartford street, to purchase of Maurice Curry for the sums of $5000 and $4500 respectively, the estates numbered 1 and 3, belonging to him on Purchase place, and that the same be charged to the Fort Hill Appropriation Loan.

Ordered, That there be paid to James A. Dupee, guardian, the sum of $414 50, for land taken and damages occasioned—including grade damages—by the laying out and grading of Sturgis street, by a resolve of July 23, 1869, the said land having been erroneously taken at the time of the passage of the said resolve in the name of Horace Dupee, guardian, the same to be charged to the Fort Hill Appropriation Loan.

Ordered, That there be paid to James A. Dupee, guardian, the sum of $2000 for damages occasioned estate No. 20 Hamilton street, by the grading of that street, under resolve approved July 23, 1869, the said estate having been described as belonging to Horace Dupee, guardian, the same to be charged to the Fort Hill Appropriation Loan.

Ordered, That there be paid to Samuel K. Williams $2500 for damages occasioned his estate, No. 8 Washington square, by the grading of said square, by a resolve of July 23, 1869, the same to be charged to the Fort Hill Appropriation Loan.

Ordered, That there be paid to Julia B. H. James $3000 for damages occasioned her estate, No. 3 Washington square, by the grading of said square, by a resolve of July 23, 1869, the same to be charged to the Fort Hill Appropriation Loan.

Ordered, That there be paid to the heirs of H. S. Weich (Columbus Tyler guardian), $1900 for damages occasioned their estate, No. 24 Washington square, by the grading of said square, by a resolve approved July 27, 1869, to be charged to the Fort Hill Appropriation Loan.

Ordered, That there be paid to the heirs of Nathan Watson the sum of $43 13 for land taken and damages occasioned, to their estate on Warren street, Roxbury, by the widening of that street between Washington and Dudley streets, by a resolve of July 14, 1868, to be charged to the appropriation for laying out and widening streets.

Ordered, That there be paid to the heirs of Enoch Hayward $152 50 for land taken and damages occasioned their estate by the widening of Warren street, Roxbury, thereon, by a resolve of July 14, 1868, to be charged to the appropriation for laying out and widening streets.

On motion of Alderman Talbot,

Orders were passed, notifying the proprietors of Long Wharf, Central Wharf and India Wharf to fill up their docks before the 1st of January next, otherwise the city will proceed to fill them, pursuant to the provision of chapter 181, acts of the Legislature of 1869, the plans of which docks may be seen at the office of the City Surveyor, dated October 4, 1889.

On motion of Alderman White,

Ordered, That all parties occupying a building on Southac place, owned by Hiram Wellington, and which is adjudged by this Board as dangerous to life by reason of its want of repair, he and they are hereby notified to remove from and quit said building within five days from the passage of this order, and in case of refusal so to remove, the Superintendent of Health is authorized to forcibly eject such tenants and to call for such assistance as he may require to aid him in the execution of this order.

Orders were also passed for an abatement of nuisances at No. 8 Cooper street and 80 Phillips street.

On motion of Alderman White,

Ordered, That the Committee on Public Buildings be authorized to hire a room in the building on the corner of Washington street and Pine street, known as the Pine Street Church Building, for the purpose of a Ward Room for Ward Eight.

On motion of Alderman Baldwin,

Ordered, That the armory of Company F, First Regiment M. V. M., in the hall of a building numbered 1867 Washington street, be approved as a suitable place for the deposit of arms, at an annual rental not exceeding $500, beginning on the 1st October, 1869.

On motion of Alderman James,

Ordered, That there be paid to John L. Cook the

sum of $12 73, the same having been allowed in the usual manner.

Ordered, That the Chief of Police be directed to notify the owners and abutters on C street, between Broadway and Second street, and on Third street, between B and D streets, to furnish edgestones for their sidewalks and lay their sidewalks with brick.

NOTICE TO VOTERS.

On motion of Alderman Fairbanks,

Ordered, That due notice be given that the voting lists of the several Wards of this city are now completed, and that copies of the same may be inspected at the City Hall, and at or near the place of voting in each Ward, and that all legal voters of the city be requested to see if their names are correctly inserted thereon. And the following classes of persons are particularly called upon to see if they are duly registered, viz:

Naturalized citizens, who have not been registered in the City Clerk's Office, or who have changed their residence within six months.

Persons who have received no tax bill for 1869.

Persons taxed without their given names, or whose names are erroneously recorded.

The Board of Aldermen will attend at their rooms, City Hall, every day until the 1st day of November next, inclusive, from 9 A. M. to 5 P. M., for the purpose of correcting said lists. Persons who wish to have their names corrected or inserted must exhibit a paid tax bill for 1868 or 1869, and no person will have a right to vote who has not paid a tax assessed upon him within two years, according to law.

Ordered, That the Treasurer be directed to designate upon the voting list the names of all persons found thereon who shall not have paid before election day a tax assessed upon them within two years, according to law.

Alderman Bradlee offered the following order:

Ordered, That so much of West Chester avenue as is situated between Shawmut avenue and Tremont street shall hereafter be called and known as Chester square, provided nothing in this order shall change the designation of numbers on said avenue or square from those fixed by order of this Board, passed July 6, 1869.

Alderman Baldwin expressed surprise at the offering of the above order, after the thorough discussion of the subject and its settlement some time since.

Alderman Bradlee said it had always been his desire to offer this order, when the feeling which was so excited should be allayed, and this he avowed within twenty-four hours after the passage of the former order.

Alderman Baldwin attributed the desire of the people of the section designated to have the name Chester Square to a feeling of being a little better than other residents in that section of the city.

Alderman Bradlee referred to the terms of the order, that by adhering to the present numbering it would be of no inconvenience, and as a further argument stated that the section designated would always be known as Chester Square if not changed by the Board.

Alderman Richards believed that the reasons given were sufficient in favor of the passage of the order.

After further remarks by Aldermen Baldwin and Bradlee, the order was passed by a vote of 8 to 4, as follows:

Yeas—Bradlee, Fairbanks, James, Rice, Richards, Pratt, Seaver, Talbot.

Nays—Baldwin, Hawes, Van Nostrand, White.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## OCTOBER 7, 1869.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Quarterly reports from several departments of the Government were ordered to be placed on file.

Petitions from the Board were referred, in concurrence.

The reference to the Committee on Finance of the request of the Committee on Sewers for an additional appropriation of twenty thousand dollars to pay the expenses for sewers for the remainder of the financial year (Printed City Doc. No. 90, 1869,) was concurred in.

The following orders were severally read twice under suspension of the rules, and were passed in concurrence:

Order authorizing the purchase of the estate of T. Gorman, in settlement of damages for the widening and grading of Washington avenue at an expense not exceeding fifty-two hundred and fifty dollars.

Order to pay twelve dollars and seventy-three cents to John L. Cook.

Order authorizing the purchase of the estate of the heirs of J. B. Bulger, in settlement of damages for widening and grading of Purchase street, at an expense not exceeding eight thousand five hundred dollars.

Order allowing the Auditor of Accounts an additional sum of nine hundred dollars for clerk-hire.

Order to purchase the estate of M. Curry, in settlement of damages for laying out and grading Hartford street, at an expense not exceeding forty-five hundred dollars.

Order authorizing a room to be hired in the Pine Street Church building for a ward room for Ward Eight.

Order recommended by the Committee on Public Lands on the petition of F. H, Underwood, authorizing a modification of the conditions in a deed of certain land on Fourth street.

Mr. Rich of Ward Fifteen moved a reconsideration on the last order, to settle the question, which was lost.

EAST BOSTON FERRY.

The order authorizing the Committee on the purchase of the East Boston Ferries to negotiate with full powers for the purchase of the franchise, property, rights and privileges of the East Boston Ferry Company, for a sum not exceeding two hundred and seventy-five thousand dollars, and authorizing the Treasurer to issue certificates of debt not exceeding that sum (printed City Doc. No. 87, 1869), came up for consideraation.

Mr. Hall of Ward One moved that the order be read once by its title, and that its second reading be assigned to Thursday evening next, 8 o'clock.

Mr. Batchelder of Ward Four believed that more time should be allowed for its consideration, and moved that it be laid on the table. Lost.

The motion to assign was carried.

UNFINISHED BUSINESS.

The order authorizing the purchase of the estate of K. Callaghan, in settlement of damages for the widening of Washington avenue, at an expense not exceeding $5000, was read a second time and passed.

The order appropriating one thousand dollars towards the alteration of the ceiling of the rotunda of the jail, and the other repairs to the jail mentioned in the order of the Board of Aldermen, approved 30th March, 1869, being on its passage,

Mr. Wadsworth of Ward Four inquired of the Committee on Public Buildings why it was necessary that $6000 should be expended in the rotunda of the jail?

Several members responded that but $1000 was asked for in the order.

Mr. Wadsworth resumed, replying that this would make $5900 appropriated for the purpose, and he would like to have an explanation from the Committee on Public Buildings.

Mr. Keith of Ward Fifteen stated that the Committee on Public Buildings had nothing to do with the matter, the expenditures being made under the direction of the Committee on County Expenses.

The order was read a second time and passed.

The order, passed to a second reading at the last meeting, on the petition of F. H. Underwood, authorizing a modification of the conditions of a deed of John M. Scott, of certain land on Fourth street, was indefinitely postponed.

AUDITOR'S MONTHLY EXHIBIT.

The monthly exhibit of the Auditor was presented in print, showing the general and special appropriations for the present financial year of 1869-70, as shown in the books in his office, October 1, 1869, including the October draft, being six months' payment of the financial year, exhibiting the original appropriations, the amount expended and the balances of each unexpended at that date. A recapitulation of the receipts and expenditures was as follows:

| | Appropriations, Revenues, etc. | Expended. | Unexpend'd. |
|---|---|---|---|
| General.... | $8,716,205 81 | $3,474,727 83 | $5,241,477 98 |
| Special..... | 6,164,578 89 | 1,969,417 73 | 4,195,161 16 |
| | $14,880,784 70 | $5,444,145 56 | $9,436,639 16 |

Read and sent up.

WIDENING OF HANOVER STREET.

Mr. Flynn of Ward Seven, from the Committee on Streets of the Common Council, to whom was referred the resolve and orders for the widening of Hanover street to sixty feet, between Blackstone and Commercial streets, at an estimated expense of $545,000, made a report as follows:

The Committee on Streets of last year, in reporting upon the widening of Hanover street between Blackstone street and Court street, stated that, although they did not deem it expedient to widen the street upon the plan proposed by the Board of Aldermen, they were of opinion that the public convenience required the widening at the junction with Court street, and also between Blackstone and Clark streets. The orders, however, for the widening to sixty feet between Blackstone street and Court street were passed; and it was generally understood that the widening to that extent committed the city to the widening, sooner or later, of the remaining portion between Blackstone street and Commercial street.

The present width of the roadway between Salem street and Clark street averages from sixteen to twenty feet, and between Clark street and Commercial street about twenty-six feet. The distance to be widened is about twenty-six hundred feet and the land taken amounts to about 49,000 square feet. The estimated expense per foot for land and damages to buildings, &c., amounts to about eleven dollars. Most of the buildings damaged by the widening are old and of little value.

The committee have made a careful examination of the estimates on the several estates included within the line of widening, and so far as they can judge, the estimates are substantially correct.

In regard to the amount which will be returned to the City Treasury in assessments for betterment, it is impossible at this time to form any estimate. The committee would respectfully recommend the passage of the resolve and orders for the widening.

The report was accepted.

Mr. Flynn moved that the resolve and orders be assigned for consideration to next Thursday evening at 8½ o'clock, and inquired if they had been read the first time.

The Chair replied that they had.

The motion to assign was carried.

FREE CONCERTS AND THE REMOVAL OF THE COLISEUM BUILDING.

Mr. Nelson of Ward 9, from the Joint Special Committee to whom was referred the petition of Wm. Schouler and others, that a free concert for families of soldiers and sailors be given in the Musical Festival building, and who were directed to inquire into the expediency of the city's obtaining possession of said building for public purposes, made a report that the free use of the building for the purpose of giving the concert petitioned for was offered to the Committee by the proprietors just previous to the storm by which it was damaged in the early part of September. Under the circumstances, the Committee have not deem-

ed it advisable to make arrangements for a public entertainment in the building.

In regard to the expediency of obtaining possession of the building for public purposes, the Committee would state that the land on which it stands was given to the city by the Water Power Company, subject to the restriction that it should never be used for any purpose other than a public square or buildings to be used and devoted to the promotion of the fine arts.

The purposes for which this temporary structure was erected having been accomplished, the Committee, in view of the danger to dwelling-houses in the vicinity in case of fire, would recommend that, in accordance with the petition of C. J. Bishop and others, referred to them, the building should be removed within a reasonable time after the present arrangements for its use have been concluded, and they would therefore recommend the passage of the following order:

Ordered, That the owners of the building known as the Coliseum, on the corner of St. James avenue and Dartmouth street, be directed to remove said building within thirty days from the 25th day of October, 1869, and that in default thereof the Chief of Police be directed to remove so much of said building as stands upon the city's land.

Mr. Wadsworth of Ward Four said he wished to correct one statement in the report which was erroneous, that which asserted that St. James park was given to the city by the Water Power Company. In the tripartite agreement between the city, State and Water Power Company, certain lots were marked "reserved," which the city had the liberty to purchase at fifty cents per foot.

Mr. Nelson of Ward Nine rose to a question of order, that the question was on the passage of the order whether the report had been accepted or not, and that the report was not under consideration.

The Chair stated that the acceptance of the report was not necessary now, but would be involved in the passage of the order.

Mr. Wadsworth, resuming, stated that the purchase was made at fifty cents per foot. He was on the committee at the time, and was familiar with the subject. The condition attached to these lots was that they should be laid out as a public square or should be used for art purposes.

Mr. Jenks of Ward Three rose to a question of order as to what question was before the Council.

The Chair stated the question to be on giving a second reading to the order.

Mr. Wadsworth proceeded, stating as a difficulty in his mind in relation to this building, whether the city would not forfeit the land by allowing it to remain there.

Mr. Jacobs of Ward Five here interposed a point of order, that the gentleman's remarks were not germane to the question.

Mr. Wadsworth continued, and stated that the Coliseum was situated upon two streets, covering one and part of another.

Mr. Ingalls of Ward Twelve wished to know whether the use of the building had not been in accordance with the conditions of the deed in the promotion of the fine arts?

Mr. Wadsworth replied that was a question of interpretation; some persons might think so and others not, and remarked further upon the question of tenure.

Mr. Braman of Ward Six stated that the city did not purchase the lots, and that they were given for the purpose of a public park.

The order was read once, and ordered to a second reading.

Mr. Rich of Ward Fifteen said it was desirable that the owners of the building should have a definite knowledge of the proposed action as soon as possible, and moved a suspension of the rules, for the passage of the order at this time.

The motion was carried, and the order was passed.

Mr. Snow of Ward Eleven offered the following order:

Ordered, That His Honor the Mayor be requested to petition the next Legislature for an act to amend the city charter, to provide for a Board of Street Commissioners.

Mr. Snow, in offering the order, said it would be remembered that efforts have been made at different times to establish such a Board as is contemplated by this order. The very last year Mr Train, who was then in the Council, seized upon the occasion when a general revision of the charter had been undertaken, to accomplish this change, too; but it has happened, as at that time, that such a movement at the commencement of a municipal year has seemed to be taking from the Aldermen just inaugurated some of their prerogatives, and they have never given to it their consent. Now it is proposed to make such a change, not for *this* City Government, but for the *next*. We do not know who the Aldermen are to be another year; it is indeed generally understood that not more than one or two of the present Board care or propose to come back again. We do not, therefore, interfere at all with the rights or powers of the existing Board, and for that reason may hope for their favorable action upon it.

We have had before the City Council during the past and the present year numerous important and costly projects for widening and extending streets, others no less important are already impending, and it is certain we are still far from seeing the end of them. Under these circumstances we ought to have a commission permanent enough to establish and pursue a fixed and certain line of policy—who after a deliberate and careful survey of our whole territory should know and be able to tell us why one street should be widened rather than another, why one should be extended rather than another widened—and for every project be able to assign good and sufficient reasons. Then, again, if such a radical change is to take place in the other Board, we may lose the services of the present very efficient head of the Committee on Streets. We cannot certainly hope to find at once another person who will bring to it so much real ability as has marked his course during the two years in which he has been called to consider so many new undertakings.

These are but hints of the reasons which should induce us to do what we can at the present moment to alter entirely our system for the proper laying out, widening and extending streets.

Mr. Keith of Ward Fifteen said it should be borne in mind that this same project was before the Common Council last year, and the remarks of the gentleman met his hearty concurrence. With the annexation of Dorchester, to be followed probably by West Roxbury and Brookline, the territory of Boston would be commensurate with that of a liberal city, and the expenditures of the city must be to a large extent upon its streets. In no city on the continent had so little regard been paid to its streets as in the laying out of this city, and in nothing was the attention of the City Government required so much as upon this one thing. Further, with the increased business of the city, would this required demand be increased. It will be absolutely impossible for the Board of Aldermen to give their attention to this matter of streets as it should be done, to the neglect of other matters.

Reference was made to the appointment of a commission in New York many years since, by which a comprehensive plan was adopted in laying out the streets in the upper part of the city. The result of that plan had been to save the city from great inconvenience and expense. The nearer we get to an autocratic power in relation to streets, he said, the better it was. The laying out, widening and extending of streets must bring one in contact with the feelings of others; some men must be incommoded by improvements, and the body of men who have the management of streets must be independent, and not subject to be influenced by private consideration or individual feelings. They should remain in office long enough to get information as to the best course to pursue, and not be liable to be ousted. There was work enough in such a Board for three or five men, or for ten men. It was not enough that they should lay out plans prospectively, but they should go upon the territory and examine it thoroughly. For these reasons and others, very important, he hoped the order would be adopted.

Mr. Ingalls wished to know why the gentleman from Ward Eleven should state that a majority of the Board of Aldermen would not come back, and asked whether he stated that officially. He would prefer to have a committee with such as the Board of Aldermen may join to remodel the city charter. Such a bill was passed in the Senate last winter and was stopped in the House. He did not know why the Committee should be confined to one amendment. He would have the number of members of the Common Council reduced to three in each ward, for with the increase by annexation

the number is getting to be too numerous. There should also be concurrent action on certain matters, which the Council has long desired to have a part in. He agreed with the gentleman from Ward Eleven that now was the time to act, when the old Board was going out and a new one coming in, and other changes should be proposed at the same time.

Mr. Ingalls moved to amend the order, by providing for the appointment of a committee of five on the part of the Common Council, with such as the Mayor and Aldermen may join, to consider what amendments to the city charter are necessary, and report to the present City Council.

In advocacy of the amendment he said it would be necessary to advertise the proposed petition to the Legislature, and it would be better to have all the proposed amendments in one application, instead of making several.

Mr. Snow hoped the gentleman would not press his amendment. His object was to secure this single interest, and in this he was in earnest. He wished it to go to the Board of Aldermen for them to take action on. They may do so, and pass it. In regard to the report of last year, the amendments to the city charter were made with great care, and were petitioned for by the Mayor and the Committee of the City Council. His impression was that the subject was referred to the next Legislature, action having been delayed upon it until a late day.

The next Legislature will have this petition before them, and could act upon such other amendments as may be proposed. This was a subject of special interest, and he hoped it would go through. He wished to see what views the present Board of Aldermen had on the subject. He hoped the gentleman would withdraw the amendment, and he would join him in any order relative to further amendments.

Mr. Ingalls thought gentlemen could as well vote on his order as on the original one. To single out one subject would look like making a sharp corner for the action of the other Board. The Committee can have the amendment proposed and any other placed before the Committee of the Legislature, and in the form which he proposed, he thought would be more likely to have effect.

Mr. Snow said he disliked to relinquish his point, to which he had given much thought. If this was passed, another order could be offered, and he would vote for that, too.

Mr. Ingalls said his order could be passed, and then at the next meeting the Committee could be instructed to report the measure which the gentleman proposed.

Mr. Flynn of Ward Seven said he had designed to offer an amendment, but withdrew it. He would like to have Commissioners on Paving, for the Committee on Paving spend more money in a high-handed way.

Mr. Keith said if the original order only is pressed, the Board of Aldermen may pass it, but if more is required, they might lose it. While he agreed with the gentleman from Ward Twelve in his wish for other changes, he was fearful of the result if passed in the form which he proposed. There could be no doubt the members of the Council from each Ward could be reduced and without detriment, and there should be one Alderman from every Ward, so that the interests of each Ward may be secured. He suggested that the original motion should pass, and he would cheerfully vote for such others as were believed to be necessary.

Mr. Denny of Ward 10 was fearful that in passing the amendment, there would be an attempt to grasp too much. He would act independently on the first proposition. Should the Board of Aldermen concur, they may carry out other amendments, but if anything else is put in, they may lose it.

Mr. Wadsworth of Ward 4 was strongly in favor of the original order, and was also in favor of the substitute. He was also in favor of other amendments to the charter. He should vote for the original order, and against the substitute, if proposed instead of it. He would like to have both passed, as independent propositions, and he hoped the substitute would be withdrawn.

Mr. Ingalls said if the gentlemen think they can catch the Board of Aldermen with such small bait as this, they would probably find themselves mistaken. The proposition of the gentleman from Ward Seven was a pertinent one, and in New York they had such commissioners as he had suggested. If petitions were to be presented to the Legislature to amend the city charter, they could be presented at the same time. But as gentlemen are anxious to test the question on this proposition, he would withdraw his amendment and offer it at another time.

Mr. Snow was glad that the amendment had been withdrawn, for they were aiming at the same thing. As he wished to have a full vote on the subject, to give it all the strenth that is possible, he moved the yeas and nays, which was carried.

Mr. Jenks of Ward Three could not see how the vote could give strength, for the new Board of Aldermen which may be elected will be as jealous of their rights as the present one is. He would have not only the control of the streets under Commissioners, but he would have the purchase of articles for the public institutions made by Commissioners, and not by boards of Directors. Labor and materials to be furnished for the city should be thrown open to the widest competition, and not be supplied by persons in any way connected with the City Government. The paving should be controlled by an independent body. With regard to the widening of streets, it is possible for persons now to get an intimation of the intention of the City Government, and hold whole blocks of buildings. It is hard to see how this could be prevented, even with Street Commissioners.

The order was passed by a vote of 40 yeas to 2 nays, as follows:

Yeas—Batchelder, Belknap, Bond, Braman, Butler, M. J. Cole, Daniels, Denny, Doherty, Flynn, Frost, Going, Gray, Hall, Hobbs, Hopkins, Ingalls, Jacobs, Jenks, Johnston, Keith, Learnard, Malone, Nelson, Osborn, Pearson, Pickering, Poor, Pote, Richards, Rogers, Snow, Squires, Talbot, Vannevar, Wadsworth, Wilkins, Woods, Young and the President.

Nays—Noyes, Wells.

Mr. Gray of Ward Twelve offered the following order:

Ordered, That the Treasurer be allowed for extra clerk hire during the present financial year a sum not exceeding $2500, to be charged to the appropriation for salaries.

Mr. Jenks moved the reference of the order to the Committee on the Treasury.

Mr. Gray stated that it had been in the hands of that Committee, and that it was the customary order which was passed every year.

Mr. Jenks withdrew his motion.

Mr. Keith inquired whether it would not be better to revise the appropriations to make the sum large enough to cover the expense of the Treasurer's office.

Mr. Gray stated that the extra clerk-hire was necessary in relation to the annual assessments and collections.

The order was read twice and passed.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## OCTOBER 11, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at 4 o'clock. Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers, without pay—Charles Wagner, for Otter and Clarendon streets; Henry H. Hyde for Eastern steamer, Union wharf; Julius L. Esping, for mission room; P. J. Reynolds, for St Joseph's church, Boston Highlands; James M. Dooley, for the Boston Skating Rink.

Constables — Wm. D. Rockwood, Alonzo F. Neale.

PETITIONS PRESENTED AND REFERRED.

Jordan, Marsh & Co. and others, that South street be widened at the corner of Summer street.

Proprietors of India wharf, to be paid for damages caused by laying out Atlantic avenue.

James Carrie and others, that Baxter street be accepted, west of D street.

William H. Learnard and others, that certain obstructions on Creek square be removed.

Severally referred to the Committee on Streets.

Benjamin James and others, for use of Faneuil Hall, Oct. 20, for a political meeting. Referred to the Committee on Faneuil Hall.

Thomas Hughes, to be paid for damages caused by insufficient drainage in Wheeler's court.

Daniel Killeen, to be paid for damages caused by insufficient drainage in Wheeler's court.

Severally referred to Committee on Suffolk Street District.

John A. Black, for the removal of the elm tree, corner of Warren and Monroe streets. Referred to Committee on Common and Squares.

Earl W. Johnson and others, for the removal of truck and wagon stands from Washington street, between State and Water streets. Referred to Committee on Licenses.

Metropolitan Steamship Company, to be paid for damages caused by the construction of a sewer on Central wharf.

Calvin Swallow and others, for a sewer in Appleton street.

Woodbury L. Lewis and others, that the Federal street sewer be extended south of Dorchester street.

Calvin Swallow and others, for lamps in West Chester avenue and Columbus avenue at their juncture. Referred to the Committee on Lamps.

W. E. Woodward and others, to be paid for damages caused by change of grade in Harrison avenue.

Joshua F. Sampson and others, that sidewalks be laid on Broadway from M to O street, and on O street from Broadway to Fourth street.

Directors of Penitent Female's Refuge Society, for abatement of assessment for sidewalk in Rutland and Newland streets.

Hunt, Twitchell & Co., to be paid for grade damages on Water street.

Seth Whittier and others, that edge stones be set and gutters paved on Harrison avenue as far as Dover street.

Severally referred to the Committee on Paving.

Company G, First Infantry, that repairs be made by the city on their armory. Referred to Committee on Armories.

Thomas Milligan, for leave to build a stable on Alger street for more than four horses.

Francis Jones and others, against the erection of a stable on Fourth street, between G and H streets.

Julius Rimbach and others, that a nuisance near Seventh and D streets be abated.

Severally referred to the Committee on Health.

NOTICES OF INTENTION TO BUILD.

Robert McDevitt, 33 Broadway: Thos. Kenney, Norfolk avenue, near railroad bridge; Wm. Crowley, 223 Princeton street; I. & H. M. Harmon, west side Marlborough street; Timothy Connelly, Village street; P. Kain, corner of F and Dove streets; M. S. & G. L. Miller, 1073 Washington street; F. A. Schell, Smith street, near Parker street; Wm. Prilsing, Smith street, near Parker street; T. H. Milligan, Alger street, near Federal street; D. Damon, 101 and 103 Havre street; C Wright & Co., Norfolk avenue, near Hampden street; M. McLean, Cheever court, Sumner street; Patrick Raffry, corner of Third and K streets; M. M. Bixby & Co., corner of Washington and Pleasant streets; M. Drinan, Federal street; James Rolston, Tudor street, between B and C streets; N. J. Bradlee, Newbury street, between Arlington and Berkeley streets; Henry Grimes, Dorchester street, between Ninth street and railroad bridge; Weston & Shepard, corner of Mount Vernon and Brimmer streets; W. F. Horton, Old Harbor street, near Eighth street; Barrows & Morse, Warren street, near Glenwood street. Severally referred to the Committee on Streets.

LETTER FROM THE CHINESE LEGATION.

The Mayor laid before the Board the following communication:

"CHINESE LEGATION,
PARIS, France, September 16, 1869.

*Gentlemen:* Hon. Isaac Livermore, who has stayed here some time, is going to leave for the United States. I avail myself of this opportunity to write to express my thanks to you for the complimentary manner in which we were received, and your great friendship, with which we were treated during our sojourn among you; and to inform you that your former hospitality was so great as to make us always remember you.

I trust you will be pleased to hear that while in Europe all our affairs go on admirably well.

Allow me further to add that it is my sincere hope that the number of the people and the commerce of your great city will be greater and more flourishing each year.

I have the honor to be, gentlemen,
With great respect,
Your most obedient servant,
CHE-KANG.

To His Honor the Mayor and the City Council of Boston."

Read and ordered to be sent down.

QUARTERLY REPORTS.

Reports for the last quarter were laid before the Board as follows:

*Hayweigher of Northern Scales.* The report of the Hayweigher of the Northern Scales reports that he has received for fees, for the quarter ending October 1, 1869, the sum of $583 50, forty per cent. of which, $233 40, less expenses, ($7 74,) amounting to $225 66, has been paid to the City Treasurer.

REPORT OF CITY PHYSICIAN.

The report of Dr. Wm. Read, City Physician, states that during the three months ending Sept. 30, the business of the office has been as follows: Number of persons vaccinated, 309; physicians supplied with vaccine lymph, 4; certificates of vaccination, 118.

Read and sent down.

REPORT OF TRUANT OFFICERS.

Number of cases investigated during the quarter 2432; old truants previously reported, 27; new cases, 109; number found to be truants, 136; aggregate absences by truancy, 508. Before Justices of the Municipal Court—Number complained of as habitual truants, 24; on probation, 5; sentenced to the House of Reformation, 19; complained of as absentees, 17; number on probation, 2; sentenced to the House of Reformation, 15. Before the Judge of Probate—Complained of for offences other than truancy, 12; on probation, 3; sentenced to the State Reform School, 5; sentenced to the School Ship, 2; sentenced to Industrial School for Girls, 2.

REPORT OF CHIEF OF POLICE.

The Chief of Police made a report in accordance with the police ordinance of the doings of his department for the quarter ending September 30, 1869, as follows:

Number of arrests 5830; commitments 3938; amount of property reported stolen $105,707; amount of stolen property recovered $102,861 09; amount of fines imposed by the courts $13,334; amount of witness fees earned $2805 39; number of days spent in court 188½; aggregate amount of imprisonment 245 years.

Among the larger number of arrests for crime were the following:

Assault and battery, 470; breaking and entering, 64; common drunkards, 133; drunkenness, 2551; disorderly, 403; disturbing the peace, 518; larceny, 267; felonious larceny, 80; malicious mischief, 44; nightwalking, 104; suspicious persons, 433; truants, 51; violation of city ordinance, 82; vagabonds, 55; witnesses, 57; felonious assaults, 38; keeping dogs without license, 54; keeping houses of ill fame, 28; stubborn children, 23.

Under the head "Miscellaneous," are recorded the following among the items:

Accidents, 137; arrested on warrants, 314; buildings found open and secured, 451; boats challenged, 1017; bonfires extinguished, 53; cases investigated, 505; disturbances suppressed, 2018; defective lamps, 1648; defective drains, vaults and nuisances, 158; defective cellar doors, 34; defective cesspools, 25; defective hydrants, 31; defective water pipes, 39; defective fire alarms, 18; dead bodies provided for, 18; dogs killed, 85; extra duty done by officers, 708; fire alarms given, 61; fires extinguished without alarm, 49; intoxicated persons helped home, 434; lost children returned, 259; persons rescued from drowning, 12; street obstructions removed, 9423; street and sidewalks reported, 734; do. reported and repaired, 738; stray teams put up, 47; vessels boarded, 188; water running to waste, 41.

Laid on the table and ordered to be printed.

HEARINGS ON ORDERS OF NOTICE.

The hearings on orders of notice, on the petitions of sundry persons for leave to build stables for more than four horses, viz.: Haley, Morse & Boyden, B. F. Sheffield, S. L. Rosnosky, Patrick T. Gateley, Thos. Lyford & Co., H. & J. Pfaff, and F. D. Osgood, were severally taken up. No person objecting thereto, the reports were recommitted.

The hearings on the proposed laying out of streets on the Back Bay, in the vicinity of Columbus avenue, were taken up. No person appearing in opposition thereto, the reports were recommitted.

The hearings on the proposed laying out of a street adjoining the Boston & Providence Railroad, on the proposed laying out of Ontario street, and the widening of Bedford street, at the corner of Chauncy street, were considered, and the reports were severally recommitted.

On the proposed laying out of Colony street, J. P. Haskins said he had no objection to the plan of laying out said street provided that due allowance be made to him for his expenditures on said street, and that the expense be assessed in fair proportion on the several owners of estates. The report was recommitted.

UNFINISHED BUSINESS.

The report and order to refund to Harriet Parmelee $1243 96, being amount paid to city on a bond for land on Lenox street, being under consideration, the petition was read and a statement was made that the land upon which the payments were made had been sold and the city would not be a loser by the sale. The order was read a second time and passed.

COMMON COUNCIL PAPERS.

The following orders were passed in concurrence:

Order to allow $2500 for extra clerk hire in treasurer's office.

Report and order for removal of the Musical Jubilee Building from the city's land in thirty days from October 25, 1869.

The Auditor's exhibit, Oct. 1, 1869, (City Doc. 92) was ordered to be placed on file.

The order for the Mayor to petition the Legislature for authority to appoint a Board of Street Commissioners coming up,

Alderman Talbot requested that the order be laid over a week, that he may have further time to think upon the subject. There were some reasons in favor of the proposed measure, and others which might be urged against it. If no Alderman had anything to say at this time, he would move that it be laid over.

The order was laid on the table.

REPORTS OF COMMITTEES.

Alderman James, from the Committee on Finance, to whom was referred the petition of Lucy Martin, to be paid for a lost coupon of city stock, made a report, recommending the passage of the accompanying order:

Ordered, That the City Treasurer be authorized to pay Lucy Martin the amount of coupon No. 6249 of the City of Boston currency loan for $30, due March 1, 1869, which has been lost and not paid, provided said Lucy Martin gives a bond satisfactory to the City Solicitor, to save harmless and indemnify the City of Boston for making said payment.

Read twice and passed.

Alderman James from the same committee, to whom was referred the report of the Committee on Sewers, asking for an additional appropriation of $20,000, made a report recommending the passage of the accompanying order, authorizing the transfer of that amount from the Reserved Fund:

Ordered, That the Auditor of Accounts be and he hereby is authorized to transfer from the Reserved Fund to the appropriation for sewers the sum of $20,000.

Read twice and passed.

Alderman White, from the Committee on Health, made a report, that in consequence of the change now being made in the yard of the West City Stables and the county jail, it is necessary to remove and to rebuild the sheds belonging to the Health Department. They therefore recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to remove the sheds at the West City Stables and rebuild the same on another part of the lot at a cost not exceeding $3000, and that the Auditor of Accounts be authorized to transfer the said amount from the Reserved Fund for the said purpose.

Read twice and passed.

Alderman Richards, from the Committee on Faneuil Hall, reported in favor of granting the use of Faneuil Hall to J. G. Abbott and others on the 21st and 22d of October, instead of the 14th and 15th, as asked for, for a meeting of the Working Women of Massachusetts; also granting the use of Faneuil Hall to Benjamin James and others for a political meeting October 20th. Severally accepted.

Alderman Hawes, from the Committee on Steam Engines, on the petitions of Jacob Rand & Co., Seth Wentworth and B. P. Whitcomb, severally, for leave to maintain and use steam engines and boilers on their premises on Wareham street, reported in favor of granting the prayer of petitioners, on condition that the chimneys on their premises be carried up to a height of seventy-five feet from the sidewalk. Severally accepted.

Alderman White, from the Committee on Licenses, reported in favor of a license to C. A. Lougee and others to give entertainments at hall corner of Broadway and Emerson street; also in favor of a license to John J. Ridgway to give amusements at No. 17 North Russell street, and to F. Clifford and others to give a public exhibition of gymnastics at Institute Hall, Oct. 13. Severally accepted.

The same committee reported in favor of licenses to sundry persons as victuallers, auctioneers, innholders, for wagon stands, billiard saloons, intelligence offices, transfer of wagon licenses. Severally accepted.

The same committee also reported in favor of licenses to seven newsboys, two boot blacks, and one to sell pocket books. Accepted.

The same committee reported an order revoking the license to Marretti & Foster to exhibit natural curiosities at No. 11 State street. Accepted.

The same committee also reported in favor of leave by Children's Mission to give concerts at Music Hall this winter. Accepted.

Alderman Fairbanks, from the Committee on Sewers, reported no action necessary on petition of Samuel A. Way, that the sewer in Castle street be opened and cleaned; no action necessary on petition of Eleazer F. Pratt for a sewer through Atlantic avenue; and on petition of John W. May for a sewer in St. James street to connect with Shawmut avenue sewer; also a petition of Selectmen of West Roxbury respecting the Stony Brook drainage; leave to withdraw on petition of Burritt & Whitney for a sewer in M street between Third and L streets; of Jabez H. Sears for a sewer in N street, between Broadway and Third streets; of Wesley Ritchie and others for a sewer in Haynes street; of E. S. Coleman and others, that Maverick square be repaved from Henry street to Sumner street; and leave to withdraw severally on petitions of John Gallagher and others for a sewer in Hampshire street, and of G. F. Burkhardt and others for a sewer in Prentiss street, the last mentioned streets not having been accepted. Severally accepted.

The same committee reported leave to withdraw on petition of Benjamin Perkins and others, for a sewer on Highland avenue, as the street is not accepted; also on petition of Alvah Kittredge, for a sewer in Linwood street, for the same reason; no action necessary on the petition of Joshua R. Bigelow, for land taken for Stony Brook sewer; of Thomas J. Dunbar and others, to be relieved from damages alleged to have been caused by construction of a sewer in Shawmut avenue, near Circuit street; also on petition of H. N. & E. L. Plumer and others, for an abatement of a nuisance in dock at foot of State Street Block; and not expedient on petition of D. D. Fisk and others, for a sewer on Fifth street, east of O street. Severally accepted.

Alderman James, from the Committee on Common and Squares, reported leave to withdraw on the petition of George Hardy for leave to preach on the Common and other public places; leave to withdraw on petition of Frederic Hyren, that public open-air preaching be allowed in Boston; no action necessary on the petition of Frederick Nickerson and others, that measures be taken to destroy the caterpillars on the trees in South Boston; also that leave be granted to H. W. Bowen to remove a tree at the corner of Forest and Vine streets; and to Albert Hastings to remove two trees from sidewalks at 790 Washington street. Severally accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman White, from the Committee on Licenses, made a report that the bonds of certain constables were correct. Accepted.

Alderman James, from the Committee on Common and Squares, reported leave to withdraw on the petition of the Union Base Ball Clubs for aid.

Alderman Pratt moved to amend by the adoption of the following order:

Ordered, That the Superintendent of the Common, under the direction of the Committee on Common and Squares, be instructed to grade the premises of the Union Base Ball Clubs, Milford place, at an estimated cost not exceeding $500, to be charged to the appropriation for Common and Squares.

Alderman Bradlee said the matter had been carefully considered and a report was determined upon, when a further hearing was permitted, and but one person appeared. The facts were that certain gentlemen had leased a piece of ground which they said was open to all base ball clubs; but it appeared that such was not the case, the grounds being held by a few clubs for their own use. The real difficulty was, that the ground was a private ground, admission to which was obtained only by tickets. Whenever, therefore, the city aided private entertainments, it went outside of its proper authority, and in this view, the committee reported against granting the petition.

If the grounds were really free to all persons and clubs to go there and engage in play, and for all citizens to go and see the plays, there would be good reasons for aiding the parties, as prayed for, and he would go far towards aiding them, but such was not the case.

Alderman Pratt wished to call to the mind of gentlemen what he formerly said about base ball playing on the Common, which he considered a nuisance. To get rid of this nuisance he said at the time he was ready to set apart a place for such plays, and at that time it was designed to give them the use of the St. James park. He understood the parties now petitioning had a five years' lease, and on the petition in favor of granting them aid by the city, were the names of many prominent citizens.

Alderman Van Nostrand, in justice to the persons who had fitted up the grounds, said he visited the grounds and the best of order was preserved there. The admission fee was simply to pay the expenses of the clubs, keep the grounds in order, and pay the policemen in attendance. The president of one of the clubs stated to him that the grounds were free to all the youth in Boston.

Alderman Talbot inquired if these grounds were free, why it was that there was so much ball-playing on the Common.

Alderman VanNostrand replied that he did not understand that it was open to all persons, because it was necessary that some order should be kept there. It was open to the youth of Boston, and when he was present there were some 2000 persons there, a large portion of whom were ladies.

Alderman Bradlee said the question was put to the gentleman representing the clubs who control the grounds, and the committee were given to understand that the grounds were not open to all base ball clubs.

Alderman Pratt said he thought the gentleman who had just spoken had received a different impression of the matter from what he did, so far as related to the use of the grounds.

Alderman Bradlee said he had recalled the conversation which he had related, and he was confirmed in his recollection as to what he had stated it to be. It appeared by the statements which had been made, that tickets were sold for admission to the grounds, and money was paid for the expenses of competing clubs which came here. This did not appear like giving the use of the grounds to all the base ball clubs in this city.

Alderman Richards said it struck him as a member of the committee, when the petition came in, that the petition ought to be granted. When, however, the committee went on the ground and a question was asked by himself, as to the intention of those having control of the grounds, and the reply was given, as had been stated, that the grounds were for the use of a few clubs, he was clear in his mind that the city should not make an appropriation.

Alderman Pratt said his object was to shut up these ball players from the public, out of regard for the general safety and convenience. So far as related to precedent, the city voted money in aid of the Jubilee, and had done so for other purposes as much of a private nature as this was.

Alderman Talbot said he did not believe this was a proper matter of appropriation by the Committee on Common and Squares, and moved that the appropriation be made from incidentals, so that the other branch should have an opportunity to express an opinion on the subject. The amendment might perhaps be ruled out as not in order, but he doubted the power of the Committee on Common to use money for the purpose proposed.

The amendment to the order was not accepted, and the question was taken on the passage of the order, which was lost, by a vote of five yeas to seven nays, as follows:

Yeas—Baldwin, Pratt, Seaver, Van Nostrand, White.

Nays—Bradlee, Fairbanks, James, Hawes, Rice, Richards, Talbot.

The report leave to withdraw was accepted.

Alderman Bradlee, from the Committee on Ordinances, made a report recommending the passage of the accompanying ordinance amending the ordinance relating to the sealing of weights and measures, so as to authorize the appointment of an additional sealer. This increase is required on account of the growth of business and the annexation of new territory—the present number being the same as it was before the annexation of Roxbury.

An ordinance to amend an ordinance relating to the sealing of weights and measures.

Section 1. The ordinance relating to the sealing weights and measures is hereby amended so as to authorize the Mayor, by and with the consent of the Board of Aldermen, to appoint an additional Sealer of Weights and Measures.

Section 2. This ordinance shall take effect upon its passage.

Alderman Pratt inquired if the ordinance increased the fees of the sealers, and expressed doubts whether, in dividing the business, the sealers would get enough to made the pay an object in holding the office.

Alderman Bradlee said the fees were not affected by the ordinance, that being a subject for the action of the City Council.

The ordinance was read twice and passed.

CHURCH STREET DISTRICT.

Alderman Richards, from the joint special Committee on the Church Street District, submitted the report of the Commissioners appointed by the City Council to have charge of the work authorized to be performed on said district and state that the further services of the Commissioners may be dispensed with.

The Commissioners state that the contract for filling the territory has been settled, although there will still be needed a few hundred yards of gravel.

There have been raised upon the district two hundred and ninety-six brick buildings, varying in height from ten inches to fourteen feet. Of this

number, eighty-two have been moved back to widen streets: seventy-four were moved ten feet, and eight, twenty-five feet and six inches. There have been fifty-six wooden buildings raised, independent of ells and sheds, varying in height from one foot to seventeen feet. Six of this number were moved back, for the purpose of widening streets, from three to twenty-five feet. Thirty-seven wooden buildings, independent of ells and sheds, and thirty brick buildings, have been demolished, mainly for the purpose of widening streets.

The following shows the total amount of expenditures upon the work up to this time:

| | |
|---|---|
| Cost of raising, moving back and underpining the buildings (including $4,263 55, paid to Messrs. G. & C. Nowell, who assumed the work on their model house on South Cedar street) | $342,819 84 |
| Cost of filling the territory up to this time | 150,931 00 |
| Salaries, including all engineering expenses | 17,263 12 |
| Office expenses: rent, fuel, furniture, care of office, etc | 843 05 |
| Printing: including plans, stationery, etc | 669 33 |
| Repairs and alterations of buildings, including charges to contractors and owners of estates | 13,806 81 |
| Edgestones and paving | 24,214 94 |
| Sewers and cesspools | 8,279 71 |
| Water works | 11 056 59 |
| Retaining walls | 6,812 89 |
| Land and damages for widening streets and extending Columbus avenue, including estates purchased for that purpose, less land sold and benefits assessed | 281,801 09 |
| Estates purchased for other purposes, such as schoolhouse, ward room, etc. | 81,670 77 |
| Mortgages paid | 1,003 00 |
| Sales of old buildings: amount refunded to owners | 22 78 |
| Incidentals | 5,556 58 |
| Total (as per exhibit herewith submitted) | $946,751 41 |

Of the above amount $532,261 70 is properly chargeable to the $700,000 appropriation for Church street improvements, and the remaining $414,489 71 is for work not contemplated when the work was commenced.

There has been paid to the City Treasurer, for old materials sold, $5810 41, and there has been paid, or is to be paid for estates purchased by the city and sold, and for charges against estates reconveyed, $92,144 01.

Thirty-four estates have been purchased by, or surrendered to, the city. One hundred and thirty-six estates have been reconveyed to former owners, or their assigns; and there remain to be reconveyed, one hundred and eighty-three other estates. There are upon the territory purchased by the city and paid for, remaining unsold, seven lots of land, several portions of lots and five houses.

Work was commenced upon the district July 17, 1868, the committee estimating that it would take two years at least to complete it, at an expense of $700,000. It was objected by its opponents that from three to five years would be required, and that the expense would be much greater than estimated. The appropriations for the entire work amount to $1,175,000. With the amount estimated to complete the work, $85,000, the cost will be $1,031,751 41. The estates belonging to the city are worth $80,000. With this and the amounts to be paid, the net cost will be $853,784 99, less the amount of betterments on estates to be reconveyed.

The report concludes with the following order, which was read once:

Ordered, That the Commissioners on the Church Street District be and they are hereby discharged; and that the Joint Special Committee of the City Council on said district be authorized to exercise all the powers conferred on said Commissioners by the orders of the City Council, and also to appoint a person to take charge of the unfinished work on said district, who shall perform such services and receive such compensation therefor as the said Committee may direct.

Alderman Bradlee, from the Committee on Ordinances, reported an ordinance to amend an ordinance relating to the Public Health. The ordinance provides as follows:

Section 1. The ordinance in relation to the public health, printed in the edition of laws and ordinances of 1863, and amended July 8, 1864, June 1, 1866, July 28, 1866, September 28, 1867, October 22, 1867, October 6, 1868, is hereby further amended by adding after the word "keep," in the second line of the seventh section, the words "or cause to be kept."

Also, by striking out the words "three months," in the tenth line of the tenth section, and inserting in place thereof the words "thirty days."

Also, by striking out the seventeenth section.

Also, by striking out all after the word "Mayor" in the twelfth line of the eighteenth section, and inserting in place thereof the following:

"No person not appointed as aforesaid shall open any tomb or grave for the purpose of depositing or removing a dead body, without the permission of the City Registrar."

Also, by striking out, in the second and third lines of the twentieth section, the words "excepting at East Boston and South Boston."

Also, by striking out, in the twenty-fourth section, all after the word "rendered," in the thirtieth line.

Also, by inserting after the word "penalty," at the end of the eleventh line, in the forty-first section, the words "of not less than five dollars, nor more than twenty dollars."

Also, by inserting after section fifty one, the following:

"Ashes kept for removal by the Health Department shall not be mixed with other substances, but shall be kept separate and apart, in a convenient locality, in suitable iron or other metallic vessels, and in such a manner as to prevent the spread of fire."

Also, by striking out, in the sixth line of the sixtieth section, the words "two cart loads," and inserting in place thereof the words "three cords."

Also, by inserting after the word "November," in the eighth line, the following words: "and no manure shall be allowed to accumulate or remain uncovered outside of the stable building."

Alderman Pratt moved to strike out the word "metallic" from the paragraph following section 51, for the reason that a great majority of persons could not afford to procure metallic vessels in which to keep their ashes. It was well enough applied to stores, but if applied to all persons the ordinance could not be enforced.

Alderman Bradlee hoped the motion would not prevail, for every measure should be taken to prevent the spread of fire, and it was the opinion of the engineers of the Fire Department that such a provision should be in the ordinance. It may be that the ordinance would not be strictly enforced, yet he presumed it would be enforced as fully as many other ordinances are.

The amendment was lost and the ordinance was read twice and passed.

Orders for collection of sewer assessments on Friend, Tremont, Warren and Bowker streets and on Avon place, were referred to the Committee on Sewers.

ORDERS OF NOTICE.

On the proposed widening of Parker and Heath streets. Hearing Monday, October 25, 4 P. M.

On the proposed construction of a sewer in Sixth street, between M and N streets. Hearing Monday, October 18, 4 P. M.

On the proposed construction of a sewer in Parker street, between Tremont street and Stony Brook. Hearing Monday, October 18, 4 P. M.

EAST BOSTON FERRY ACCOMMODATIONS AND TOLLS.

Alderman Seaver presented a petition from the National Dock and Warehouse Company and many other parties for additional ferry accommodations to and from East Boston.

In connection with this petition, he wished to offer the following order:

Whereas, the city of Boston has expended over $300,000 in the purchase of landings and buildings for the East Boston ferries, and for the purpose of enabling the East Boston Ferry Company to maintain a moderate rate of tolls, has leased said landings and buildings to said company free of rent; and whereas, said company has obtained a high rate of toll upon a statement based upon bad management and improper expenditures, and has put the persons using said ferry to great inconvenience and expense by neglecting to comply with the order of this Board to furnish additional accommodations, and has allowed this property leased to it by the city to fall into decay and be-

come greatly depreciated in value through neglect to repair the same; it is, therefore, hereby

Ordered, That the officers of the East Boston Ferry Company be summoned to appear before the Board on the day of 1869, to answer such interrogatories as may be put to them in regard to the annual returns made to this Board by the Directors of said company as provided in the sixth section of chapter 244 of the acts of the year 1852.

Alderman Talbot addressed the Board on the subject as follows:

*Mr. Mayor:* Before the question is taken upon the order offered by the Chairman of the Committee on Ferries (Alderman Seaver), I desire to submit for the consideration of the Board a few remarks.

Since the organization of the East Boston Ferry Company, in 1852, scarcely a year has passed without some action being required on the part of the City Council, either in behalf of the Ferry Companies, or of the citizens of East Boston.

During the last ten years large expenditures have been made from the City treasury for the purpose of improving the ferry facilities, of which I will enumerate only the principal items.

In 1859 the city paid $125,000 for Eastern avenue, and the piers, docks, drops and buildings on both sides of the East Boston Ferry landing. At the same time the city paid $125,000 for the piers, docks, drops and buildings of the People's Ferry Company. During 1867-68 the city expended for repairs on the People's Ferry landing $52,000. All this property is now used by the East Boston Ferry Company free of rent.

It appears, therefore, that the city has invested over $300,000 in property of which the East Boston Ferry Company has at the present time the free and sole use. With such an amount of aid from the city, and with a steady increase of business, we might necessarily expect the Ferry Company to manage its affairs in such a manner as to give satisfaction to the people of East Boston, and furnish a proper income on the capital invested. But what is the actual condition in which we find the Company? A brief review of the subject during the last few years will serve to show how matters have assumed their present shape.

During the year 1866, a charter was granted for a new ferry called the Citizens' Ferry. The owners of this charter began a furious onslaught upon the management of the old ferry; indignation meetings without number were held at East Boston; the aid of the city was invoked to put a stop to such outrageously conservative, old fogy and dishonest management as the Old Ferry Company had established.

A committee of the City Council was appointed to investigate the whole matter. After a full hearing this committee, unwisely, in my judgment, undertook to give advice to the rival companies. This advice was understood by the Citizens' Ferry Company—whether it was the advice given or not I cannot say—to be, that the Old Ferry Company should sell to the Citizens' Ferry Company—or those they might associate with them—a controlling interest in the stock of the Old Company at a price to be made by the committee.

The price recommended was $70 per share, the par being $100 per share. Two gentlemen—Mr. Albert Bowker and Mr. Edw. G. Nickerson—if we may believe them, in their simplicity, innocence, and generosity—were so far flattered by the advice of the Committee that they bought the required amount of stock. The deed was done: the day for the deliverance of East Boston had arrived; for aught I know they celebrated the great event with music and cannon, with parade and fireworks. I can conceive but cannot describe the happiness with which they retired to rest after this day of triumph. Now, why did Messrs. Bowker and Nickerson make this purchase of the East Boston Ferry Company stock?

The citizens of East Boston thought it to be an act in the interest of well managed ferries—to me there is another solution to the question. Let us see if I am right. Some considerable expense had been incurred in procuring the charter of the Citizens' Company. This sum could now be provided for; but another and greater reason was, that one or both of these gentlemen, or the Citizens' Ferry Company which they controlled, were the owners of the Adams and Jefferson, two Ferry Boats formerly belonging to the People's Ferry Company. How easy it would be for the directors of the Citizen's Ferry Company, who happened soon after to be the same persons who were directors in the East Boston Ferry Company, to sell to the Old Company these boats.

About the time these transfers of stock were made the old Ferry Company purchased two boats for ferry purposes; these boats, after being repaired or remodelled so as to be available for ferry use, cost the company as follows:

"Morse," afterwards called "Lincoln," $36,366 88; "Hunchback," afterwards called "Gen. Grant," $45,971 25.

These boats were valued last spring by Donald McKay, Esq., by affidavits drawn by Judge Wright and sworn to before him, either for the citizens of East Boston to use, before the Committee of the City Council on the purchase of the East Boston Ferries, in order to show them the value of the boats and what a bargain the city would make by purchasing the property at $350,000; or for Messrs. Bowker & Nickerson, to be used for the same purpose.

I have always been unable to reconcile Judge Wright's desire that the city should purchase the ferry property at almost any price, while he appeared to be antagonistic to the Ferry Company; and I am more in the dark than ever since I have seen these affidavits, and learned that he was the attorney of the Ferry Company.

Mr. McKay values the Lincoln at $56,000, and the General Grant at $58,000, being $19,603 for the Lincoln, and $12,028, for the General Grant, more than they cost the Company. So much for boats bought of outsiders and remodelled by the Company, before the present management got into working order.

Let us look at the account of the Jefferson and John Adams, subsequently purchased of the Citizens' Ferry Company, at a cost for the Jefferson of $56,783 64, and the John Adams at a cost of $51,000, although the Citizens' Ferry Company had voted to sell the Jefferson to them for $56,000. Among the vouchers connected with the purchase of the Jefferson are the following:

"Received of E. G. Nickerson, Treasurer of the East Boston Ferry Company, fifteen thousand dollars, on account of Citizens' Ferry Company.]

(Signed) E. G. NICKERSON,
Treasurer Citizens' Ferry Co."

Also,

"BOSTON, June 28, 1867.

Received from E. G. Nickerson, Treasurer, Eight Thousand Eight Hundred Seventy-five and 28-100 dollars, in settlement for all demands against the steamer Jefferson.

(Signed) ALBERT BOWKER."

The bill of sale is dated 28 February, 1867, and

(Signed) CITIZENS' FERRY CO.
M. GOOKINS, President,
E. G. NICKERSON, Treasurer.

The Adams was purchased Oct. 24, 1867, the bill of sale being signed by Mark Gookins, Albert Bowker and Edw. G. Nickerson. The East Boston Ferry Company in their generosity appear to have paid bills on the John Adams which had not been rendered when the bill of sale was made, amounting to $381—but as this is a mere trifle for that company when dealing with the Citizens' Company, we pass it by as of no account.

By various votes passed by the Directors of the Old Ferry Company, it appears that all the money used in the repairs of the two last named boats was borrowed from that company by the Citizens' Company, and as these transactions were principally in 1867, it becomes interesting to know what amount of interest was collected in that year, and I find by looking at the returns, that it was $3 81; so that I assume that the whole amount of the interest on the advances should be charged to the cost of these boats.

The estimated value of these boats, made by Mr. McKay, is for the Jefferson $53,000, and the John Adams $50,000, being for the Jefferson $3783, and for the John Adams $1000, making their present value $4783, less than they cost the company.

Let us further analyze the account of these boats. The estimated value made by Mr. McKay for the Lincoln and the Gen. Grant, purchased and repaired I suppose by the old management of the ferry (but this is not material), is $114,000; they cost $82,367, thus making the estimated value exceed what they cost the company, $31,693. Mr. McKay estimates the value of the John Adams and the Jefferson to

be $103,000,—they cost $107,783; thus making their estimated value $4783 less than they cost the company.

Now taking Mr. McKay's estimated value of the boats to be relatively correct, and they are in substantial agreement relatively with the estimates of appraisers appointed by the Committee of the City Council, except that they are some thirty-five per cent. higher than our appraiser's estimates, after taking into account the difference in the value of the Lincoln, which had been partially burnt between the time of making the two estimates—it seems to me that the East Boston Ferry Company purchased these two boats—the Adams and Jefferson—at a price exceeding their market value, of from $35,000 to $40,000. This sum, with interest at about 10 per cent. per annum, which the company pays upon their floating debt, from January, 1867, will amount to nearly or quite $45,000, or three-fourths of the floating debt of the company after deducting the cash on hand.

In regard to the salaries paid by the company, I find they were but $1850 in 1866, and $8500 in 1869, $2500 of which is paid to the President, and the balance $6000 to the Treasurer for office rent and to persons who are in his employ, in conducting his private business.

These salaries do not include the toll-men, and other persons at the gate houses, they being paid under the head of pay-rolls.

One other transaction out of many more I could cite, and I have done.

In January, 1869, Mr. Edw. G. Nickerson sold to Mr. Edwd. G. Nickerson, Treasurer of the Ferry Company, 1323 tons of coal, suitable for the use of the boats, at $9 25 per ton. This quantity is equal to about four average cargoes; this coal was stored on Mr. Nickerson's wharf and transferred to the ferry boats at an additional cost of forty cents per ton.

I am informed that this quality of coal could have been purchased by the company, had they bought as Mr. Nickerson probably did, at the right time in the year, for about $7 25 per ton, or two dollars less than they actually paid, and that it could have been stored on their own property, and made an additional saving of forty cents per ton.

I should not think at all strange if the company had to pay an additional sum to that already paid for the storage of the coal from the time of sale until delivered to the boats.

I may be wrong, but I think the Chelsea Ferry Company have never had the cost of their coal average $7 per ton for any one year. I doubt if they ever paid $7 for a ton of coal.

I gather these facts, Mr. Mayor, from the report of the Auditor employed by this Board to look into the books of the Ferry Company, and in my judgment this company should be cited to appear before this Board, that we may have a thorough investigation into their affairs, to the end that we may establish the fact, that they, before the raising of the tolls earned money enough to pay eight per cent. dividend on their capital stock, and that we shall be justified in at once reducing tolls to their former rates. But whether that is done or not, I think no stockholder in the company can doubt that the President and Treasurer have done very well up to the present time with their investment in the "Citizens" and "East Boston Ferry Companies."

The order was read once and laid over.

ORDERS PASSED.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be and he is hereby directed to extend the common sewer in High street and report a schedule of the expense to this Board, pursuant to law.

Ordered, That the Superintendent of Sewers be and he is hereby directed to construct a common sewer in Saratoga street and report a schedule of the expense to this Board, according to law.

Ordered, That the Superintendent of Sewers be and he is hereby directed to construct a common sewer in Kenilworth street and report a schedule of the expense to this Board.

On motion of Alderman Pratt,

Ordered, That the Chief-of-Police be and he is hereby ordered to notify Messrs. Gove & Brother to remove the iron shade frame and swing sign in front of premises occupied by them at No. 72 Hanover street, within ten days, the same being an obstruction to the proper lighting of the street, and if not so removed, that the Chief-of-Police be authorized to remove the same according to law.

On motion of Alderman Richards,

Ordered, That in addition to the amount of $2000, heretofore allowed to defray the expenses of the parade of the Fire Department of the city, September 17th, a further sum of $200 be allowed for that purpose, said amount to be charged to the Appropriation for Fire Department.

Ordered, That the Chief Engineer of the Fire Department be and he is hereby authorized to purchase, under the direction of the Committee on Fire Department, one hook and ladder carriage for Hook and Ladder Company No. 5, at an expense not exceeding $1200, the same to be charged to the appropriations for the Fire Department.

On motion of Alderman James,

Ordered, That the Committee on the Church Street District be authorized to pave Tremont street, between Pleasant street and the Boston & Albany Railroad bridge, with "Paul's Improved Wooden Pavement," instead of with granite blocks, as heretofore ordered.

Ordered, That the City Treasurer be and he is hereby directed to abate the bill of $35 against John Pringle, for sidewalks laid by the city in front of his estate No. 609 Sixth street, said Pringle being unable to pay said bill.

Ordered, That the Chief-of-Police be and he is hereby directed to notify J. J. McNutt and others to remove the piles of lumber and other obstructions placed by them in Malden street, and in default thereof, the Superintendent of Streets is hereby directed to cause said lumber, &c., to be removed at the expense of the owners thereof.

Ordered, That the Superintendent of Streets be authorized to grade and gravel Clyde street, East Boston, at an estimated cost of $3000.

On motion of Alderman Richards,

Ordered, That his Honor, the Mayor, chairman of the School Committee, be authorized to expend a sum not exceeding $220, for the purpose of providing a suitable hall for the meeting of the Convention of Massachusetts School Teachers in this city, on the 22d day of October inst., and that said sum be charged to the appropriation for incidental expenses.

In explanation of the order, it was stated that it was the understanding that the Convention was to have Faneuil Hall, but it proved that other parties had been promised the use of the hall on the first days on which it could be had after coming from the hands of the Mechanic Association, and it was thought under the circumstances that the city should provide another hall for the Convention.

On motion of Alderman White,

Ordered, That all parties occupying the basement of No. 8 Trainer court, owned by Margaret Mahoney, and which is adjudged by this Board as dangerous to life by reason of its want of repair, ventilation, etc., be, and they are, hereby notified to remove from and quit said building within five days from the passage of this order, and in case of refusal so to remove, the Superintendent of Health is authorized to forcibly eject such tenants and to call for such assistance as he may require to aid him in the execution of this order.

On motion of Alderman Talbot,

Ordered, That the safety and convenience of the city require that Colony street, between Sixth and Swan streets, should be laid out as a public street or way, by taking 140 feet of land belonging to the Old Colony & Newport Railroad Company, and 6446 8-10 square feet of land belonging to Daniel Denny, and 7232 square feet of land belonging to a person or persons unknown, at an expense of $600.

Ordered, That Ontario street be laid out between Sixth and Swan streets, by taking 2696 square feet of land belonging to Daniel Denny, and 11,164 square feet of land belonging to a person or persons unknown, at an expense of $1000.

Ordered, That there be paid to James J. Gibbin the sum of $800 in full compensation for all damages done to his estate numbered 24 and 26 Broadway by the raising of the grade of said Broadway, upon his proving his title to said estate to the satisfaction of the City Solicitor, and upon his giving to the city an acquittance and discharge for all damages, costs and expenses on account of the raising of said grade; the same to be charged to the appropriation for the extension of Broadway.

Ordered, That there be paid to Daniel Denny $1500 for land taken and all damages occasioned him by the laying out of Colony and Ontario

streets, by resolves approved this day, to be charged to the appropriation for laying out and widening streets.

Ordered, That there be paid to the heirs of Benjamin Burrill and Mrs. Harriet E. Burrill $77 50 for land taken and damages occasioned by the widening of Warren street (Roxbury), under a resolve of July 14, 1868, to be charged to the appropriation for laying out and widening streets.

Ordered, That there be paid to Patrick Kelly the sum of $1300 for damages occasioned his estate on Wendell street, at the corner of Hamilton alley, by the grading of Wendell street, under resolve of July 23, 1869, to be charged to the Fort Hill Appropriation Loan.

Ordered, That there be paid to Patrick Kelly $4505 62, for land taken and all damages—including grade damages—occasioned by the widening and grading of Hamilton street upon said street at the corner of Wendell street, under resolve of July 23, 1869, to be charged to the Fort Hill Appropriation Loan.

Ordered, That Heath street be widened and extended, by taking a parcel of land belonging to John A. Lowell, amounting to 7228 square feet; 3873 square feet of land belonging to the Boston & Providence Railroad Company; 4420 square feet of land belonging to John A. Lowell; and another parcel of 4306 square feet belonging to Mr. Lowell, at no expense.

Ordered, That a portion of Heath street be discontinued, adjoining the estates of John A. Lowell and Magnus Lefstrom, and crossing the Boston & Providence Railroad, containing 11,481 square feet.

Ordered, That there be paid to John O'Hara $1800 for damages occasioned his estate No. 1 Mariner's place, and in the rear of No. 154 Purchase street, by the grading of Fort Hill thereon, under resolve of August 31, 1869, to be charged to the Fort Hill Appropriation Loan.

On motion of Alderman White, an order was passed for the abatement of nuisances in Hayward place and in Kendall and Sawyer streets.

Adjourned to Tuesday evening, 7½ o'clock.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## OCTOBER 14, 1869.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Quarterly reports received from the Board of Aldermen were read and ordered to be placed on file.

The petitions of Thomas Hughes and Daniel Killeen were referred in concurrence to the Committee on Suffolk Street District.

The thanks of the Chinese Embassy, for courtesies extended to it by the city, were read and ordered to be placed on file.

The following orders and ordinances were read twice and passed:

Order to pay Lucy Martin thirty dollars, the amount of an unpaid lost coupon.

Order authorizing an expenditure of not more than two hundred and twenty dollars, for a hall for the meeting of a Convention of Massachusetts School Teachers.

An ordinance to amend an ordinance relating to the sealing of weights and measures.

Order to pay H. Parmelee twelve hundred and forty-three dollars and ninety-eight cents, the amount paid on a bond given to the city by Ashley Parmelee, Sept. 20, 1860.

Order authorizing a transfer of twenty thousand dollars from the reserved fund to the appropriation for sewers.

The order authorizing the Committee on the Church Street District to pave Tremont street, between Pleasant street and the Boston & Albany Railroad bridge, with Paul's improved wooden paving, instead of granite blocks, as heretofore ordered, being under consideration,

Mr. Flynn of Ward Seven inquired the difference of expense between this and the pavement provided for by the order already passed.

The Chair stated that the order called for $1300 additional.

Mr. Ingalls of Ward Twelve said he had made some inquiry of Mr. Paul as to what would be the expenses, and was told it would be about the same.

Mr. Gray of Ward Twelve moved a reference of the order to the Committee on the Church Street District.

Mr. Osborn of Ward Six believed it unnecessary to make such a reference. Several kinds of wood pavement had been tried in the city, and it was claimed that this was equal if not superior to the others. This place was selected for a trial because it was to be paved, and it was believed to be a favorable place for such a trial. It had no reference to the Church Street District, and he hoped the reference would not be made, and that the order would be passed tonight.

Mr. Flynn inquired the cost per yard of the pavement.

Mr. Osborn said he had no knowledge of the cost but what had been stated, but understood that it cost about the same, or a trifle less, than other wood pavement. If it accomplished what was claimed for it, it would be cheaper than stone at any price. The object was to try this as well as other wood pavement, and here was a short space where it might be tested. If it accomplished what was hoped for, it would be worth the cost even if it was double what was proposed.

Mr. Denny of Ward Ten stated that by the terms of the order it was left to the discretion of the Committee, and he could see no reason for this reference.

The motion to refer was withdrawn, and the order was passed.

An ordinance to amend an ordinance relating to the public health, [City Doc. 93, 1869,] was considered.

Mr. Osborn stated that it was necessary to have the ordinances passed as soon as possible, and on a suspension of the rules, explained the various amendments.

The ordinance was read a second time and passed.

The order authorizing the sheds at the West City Stables to be removed and rebuilt on another part of the lot, at a cost of not more than three thousand dollars, was read once.

PURCHASE OF THE EAST BOSTON FERRIES.

On motion of Mr. Hall of Ward One the special assignment for eight o'clock was taken up, the orders authorizing the Committee on the purchase of the East Boston Ferries to negotiate, with full powers, for the purchase of the franchise, property, rights and privileges of the East Boston Ferry Company, for a sum not exceeding two hundred and seventy-five thousand dollars, and authorizing the Treasurer to issue certificates of debt not exceeding that sum. [Printed City Doc. No. 87, 1869.]

Mr. Hall stated that this question of the ferries had been before the City Government many times in past years, and he hoped it was before this Government now for the last time, to be settled for the benefit of the people of East Boston. The people of that section of the city had seen their property depreciate in value for want of ferry accommodations, and they came before the City Council in all honesty to obtain relief, and asked that the city should have the control of the ferry property. They did not ask that it should be transferred so that they should secure a passage in the boats for nothing. They did not ask anything uncommon or unusual to other sections of the city.

Mr. Hall read from the minority report the objection that "it would be manifestly contrary to the plainest principles of good government to make all sections of the city equally responsible for transportation to one section, to the almost exclusive benefit of that section." If this was the case, he said, there would be some ground for the objection, but it was not so. One section of the city could not be benefited without benefiting other sections. There was a large piece of property in East Boston, near the ferry, which was not owned by the citizens of East Boston. That was owned by the National Dock and Warehouse Company. The business of this company showed that the property landed at this dock since the first of January last, amounted to $10,000,000. All of this business must come over the ferry. The amount of goods landed by the Cunard steamships, which must come over the ferry, was 40,000 tons, and the Eastern Railroad Company had done a business of 120,000 tons of freight, which must be taken over the ferry. The whole city is interested in the prompt transportation of this freight.

By the act of incorporation, the city had certain rights over the ferry company, but the company snapped their fingers at the demand for more accommodation, and in spite of the city had obtained an increase of tolls through the Supreme Court. The people of East Boston desired this measure to pass, to bring relief to persons doing business in that section of the city and to the citizens of East Boston, and as the only way in which relief could be obtained.

Mr. Pickering of Ward Fourteen said: I desire to give a few of the reasons which are conclusive to my mind why this order, as now presented, should not pass. I do not say that it may not be so modified or amended as to make it acceptable, or perhaps less objectionable: and I intend, before taking my seat, to propose an amendment which it seems to me to be very necessary should be incorporated in the order. I think it inexpedient that the city should own or maintain these ferries. I am aware that it is said that the Company do not furnish the necessary accommodations. Then let the Aldermen enforce the bond of the Company to "furnish such accommodations for the public travel as the Board of Aldermen of the said city of Boston, with the approval of the Mayor thereof, shall from time to time prescribe."

Again on economical grounds it is inexpedient for the city to make this purchase; for it is well known that all such enterprises are much better managed, and at much less cost, by individuals or by corporations chartered for the purpose, than they can be by any municipality—and if the Ferry Company, as they allege, are unable to make any profit from the business, we may be sure the city never will.

I know that it has been asserted by many per-

sons that the business has been profitable—if so we have no evidence of the fact before us; on the contrary, the three gentlemen appointed to appraise the property say, "For several years this ferry has been run without making any dividends to the stockholders, so that the fair inference is, that the receipts no more than covered the current expenses."

And the Ferry Company, in their petition to the Board of Aldermen, October 5, 1868, state that "the amount received for tolls has barely sufficed to meet the expenses of the company;" that "the Ferry Company has paid no dividend in fourteen years;" and the appraisers add, "In fact, it is generally understood that the stock of this company has not been a paying stock."

Is it to be expected, then, that it will be a paying investment for the city? I think not.

Then if it cannot be made profitable, it will be a burden, and entail an additional debt on the city, and consequently load the people with additional taxes, which are sufficiently onerous now, as I believe every one will acknowledge who has received his tax bill for the year 1869. And, lest it may be thought by some that this is possibly an exceptional year, and that our expenses may be somewhat reduced, after the improvements now in progress are completed, I have the best authority for saying that our current expenses for the next five years will not be less than *nine million* dollars per annum; or from thirty to forty dollars each for every man, woman and child in the city. I think the present burden quite heavy enough, and I would not increase it except under some pressing necessity. Then as to the value of the property—I cannot find much encouragement that the city is to get the money's worth. In the first place the appraisers say, "We desired to examine carefully and closely the condition of the several boats belonging to the Ferry Company, but were not permitted to do so; in fact, we could obtain no information whatever from the officers of the Ferry Company, and were not even informed by them in what the property consisted, which it was proposed to transfer to the city; and we were therefore compelled to obtain the information in the best way we could."

They also state that the estimate they have made of the Ferry Dock property at East Boston was taken from the Assessors' books, but "would not sell in market for a higher price, *if even for so much*." The slip on this side, they inform us, "is in a very bad condition"—"the bridge we do not consider safe to be used for ferry purposes without rebuilding, or at least undergoing very extensive repairs;" "we think the rental very high even for ferry purposes;" "the slips, houses, bridges and boats are generally in an inferior condition to what they should be to satisfy the requirements of so important a ferry."

The Treasurer says, "All of the property is under mortgage to trustees, to secure the payment of bonds and obligations of the Ferry Company."

Now, I would ask, does this statement of the property we are proposing to buy (*official*, too, be it remembered) look like a profitable investment for the city? I think not. And finally, I fear that the purchase of these ferries is but a prelude to the making them *free*, and consequently a dead loss to the city in a financial point of view. We are told that the inhabitants of East Boston are subjected to inconvenience from the want of suitable transportation, and I presume it is true—and so are the residents of all the outlying wards of the city who are obliged to resort to omnibus and horse car and other facilities for getting from their business—but we do not think the city should on that account purchase the various horse railroads and run them for the benefit of such of our citizens as are compelled to use these conveyances.

It is true that the purpose of making the ferries free is not publicly avowed; but I am informed that decided intimations to this effect have been given in private by persons who favor the passage of this order—and the Committee themselves in their Report say, "In regard to the management of the ferry after it comes into the possession of the city, it would be premature to do anything more at this time than to state that the citizens of East Boston have not, *as yet*, asked for free communication with the city proper." The dissenting member of the Committee says, "It may properly be assumed that the real motive for urging that the city should take possession of the ferry is to establish *free* transportation." These are some of the considerations which induce me to vote against the proposed order, and I trust that it will not be passed—but, in order to do what may be done, in the event of its passage by the Council, to protect the city against loss. I submit the following amendment to the order.

Provided, however, that the tolls on said ferries shall not be abolished, nor reduced below the rates of the last year, until the debt incurred for their purchase shall have been liquidated from the receipts, and a fund accumulated, the interest of which will be sufficient to maintain the said ferries in good order, free of expense to the city of Boston.

Mr. Hall said he would agree to the amendment, for he had advocated this measure not for the purpose of obtaining free ferries, but that permanent facilities may be furnished to the people of East Boston in reaching this portion of the city.

Mr. Ingalls of Ward Twelve said that this question had taken up much of the time of the Council, and it had been a vexed question. What every citizen of East Boston wished to know was to ascertain what it costs to run these ferries, and he will be satisfied to pay the toll that will be required. He did not approve of the amendment, nor believe it was necessary to raise a sinking fund to pay for the purchase. This ferry was a public highway for the people of East Boston, and it was the duty of the city to furnish accommodations for the people. He did not hesitate to say that he was in favor of free ferries. It was as much the duty of the city to furnish accommodations to reach East Boston as it was to reach other portions of the city. It may be said that this is a more expensive highway, and that the people should pay a portion of the expense. There could be no doubt, however, that the city should own the ferries, and might lease them to parties under stipulations to provide all the accommodations which would be necessary. He had a mind in the first place to vote against this measure, because it did not accomplish anything. Its passage, however, may work out the purchase, for it is not for the interest of either party to quarrel over the ferries. The company should not quarrel with the people, for they might in the last resort exercise a power which would crush it. If we pass this, the company may conclude to take the amount rather than persist in a quarrel.

If the quarrel continues the city may put on an opposition line, or it may go to the Legislature and get authority to take the property. In the passage of this measure there may be a chance to settle the vexed question. If the city was to buy the ferry property as a speculation, he should be opposed to it. Still, it would be better to buy this property and the horse railroad tracks, on the principle that the city should own the means of communication between one portion of the city and another, and see that the people should have proper accommodations.

[Mr. Ingalls's remarks were liberally applauded from the galleries.]

Mr. Denny of Ward Ten asked the gentleman from Ward Twelve to state his objection to the amendments, which was in accordance with the act of incorporation.

Mr. Ingalls said he objected to it because it fixed an arbitrary rate of toll, for he was opposed to speculating in the matter of running the ferry. If a rate was established now, it might be repealed next year. It was not yet certain what the rates are required to be, and a much lower rate might prove to be sufficient to pay the expenses. They should first ascertain what it will cost.

Mr. Judson of Ward Fourteen said he had been looking at this matter for many years. He objected to the amendment as pledging himself in the matter, and did not think it necessary. The gentleman from Ward One had said that the people there did not ask for free ferries. He believed the city should own the ferries, and that the city should own every horse railroad track within its limits. The city should own the ferry and run it free of expenses. It was as much its duty to do so as it was to build roads for the benefit of all the citizens.

Mr. Denny of Ward Ten inquired if the gentlemen believed it to be the duty of the city to buy up all the horse railroads and run them.

Mr. Judson replied that he did not, for the horse railroads were much multiplied and there was no necessity for riding in the cars. He could walk from his residence, if he chose to, but the citizens of East Boston could not walk across the ferry, and the gentleman would not certainly require them to walk round. He was not only in favor of the purchase of the ferries, but of making them free after consideration on the subject. The parties who own the ferries have become bankrupt, and cannot run them without an increase of tolls.

The question was, shall they be bought? and we are to decide that question. It was but just and right that the city shall purchase them, and at some future time, possibly in twelve months or in two years, consider the question of making them free. But that was the question now.

Mr. Pickering said he felt encouraged that his amendment would be passed, for the gentlemen from Wards Twelve and Fourteen had both advocated it as forcibly as possible. They say that the people want to pay tolls, and the amendment provided that tolls should continue to be collected.

Mr. Ingalls wished to inquire how this gentleman knew what a liberal rate of fare was, when the Committee had been investigating the subject for months and could not tell whether the Company were losing money or gaining.

Mr. Pickering read from the report of the Committee and the statements of Aldermen on that Committee to show their opinion that the rates of toll last year were sufficient to pay eight per cent. interest, and that with the increased rate, the ferry would pay the purchase at the rate proposed in a year, with interest on the purchase. He did not propose to have the rates so high as to effect such a result, but to have the rates much less. He wished them to be no higher than would be necessary for the proper protection of the interests of the city.

Mr. Nelson of Ward Nine could see no earthly use for the amendment. In regard to the purchase of the ferries, he believed it should be done on the ground that the people of East Boston were entitled to a highway to the city proper. They were entitled to it in the same way as the people were to any avenue to the outlying districts of the city. Some doubt had been suggested as to whether the ferry company would take $275,000, while the appraisers had estimated the value of their property at $232,000. As the company would receive $42,000 for rights and privileges which it had obtained of the city for the nominal sum of $1, he had no doubt that corporation would gladly close with the bargain.

Mr. Keith of Ward Fifteen said that where there was so large an amount of money involved, there should be given good and sufficient reasons for the expenditure. He was far from believing that every one fully understood this question, for he was amazed at the intricacies involved in it. Numerous reports had been made on the subject, from time to time, and he now had in his hand a sort of resumé of the whole controversy. Every effort which had been made to settle this difficulty had been attended with an utter and total want of success. Like the question of the boundary of the United States, it was growing more difficult every year, as that was, until a compromise was made in its settlement. There was a present urgent necessity that the people of East Boston should have an increase of ferry accommodations.

At first he had thought of reading from these reports, but it would be only taking up time for naught. The question was that of want of further facilities to reach this portion of the city. He could not accede to the assumption that this question was one of local interest. Every portion of the city is interested in it. The city owes it as a duty that a good, easy and convenient access should be afforded from East Boston to other portion of the city. The people of that ward are as much entitled to it as are the people of Ward Four to good and convenient means of access to other portions of the city. The gentleman from Ward Nine, in his opinion, had put this question in a right position. It was furnishing the people of East Boston with a highway, and they were entitled to it as a highway.

In this ward there are large tracts of unoccupied territory, and in many portions of it the land is worth less than it was five or six or ten years ago. What is the reason for this decrease in value? It is because the people have had inadequate means of communication with the city proper. Yet they have natural facilities for commercial business far beyond this portion of the city. There is now in this part of the city 8500 feet of frontage for wharf property, and this is about to be reduced by the destruction of Atlantic avenue. In East Boston there are 25,000 feet, and only 8000 feet are occupied. This leaves the largest portion unoccupied and some of it is on the deepest water of the harbor.

The city must depend for its prosperity mainly on its commerce, and there is nothing to hinder the commercial prosperity of East Boston but a want of the requuisite accommodations to reach the city proper. The question has been settled for all time that those accommodations must be by a ferry. The days of a bridge had gone by, and he never believed in the project. The only possible ample accommodations must be by boats. If so, there must be such provisions made that there shall not be miles of teams waiting to cross the ferries. We had had the experience of two companies, at times, sometimes quarrelling with each other, and others quarrelling with the citizens. This had gone on so long that the only relief which could be had was in the city's owning them.

The error in the act of the last Legislature, in his belief, was, that it should have provided that the city should take the property, and pay for it, if in no other way, by a jury. The purchase of the ferries was the best method to release us from our difficulties. The price asked by the company was $74,000 more than the order proposed. If the question could be settled at that price it would be worth more than the amount of the money. He objected to the amendment as injurious to the negotiation for the purchase. Under the act of the last Legislature, the Board of Aldermen may assess one-half of the purchase upon the property of East Boston; they may assess portions of it from year to year on the amount outright; that it would be preferable to pay it in that way, than to be taxed by tolls, and would be the least burdensome form. In this manner of assessment of the expense it would come upon the owners of property and not upon the poor laborers. That should preclude us from saddling this amendment upon the order.

The question has been put whether this would be a paying investment. The laying out of no avenue is made for with the anticipation of a return dollar for dollar to the city treasury. Indirectly it is made to pay in the growth of the city and not in dollars and cents. The widening of Hanover street does not pay except in the general prosperity of the city which it promotes, nor does the widening of any avenue, but in that respect it pays and tenfold over.

The field on such a subject is very broad, and it is impossible to go into details. The people of East Boston are entitled to convenient access to the city proper and we to them. It is not alone the accommodations to 25,000 people. We are dependent upon our commercial prosperity, and if we deny ourselves access to the natural advantages which we have, we defeat our prosperity. It would be just as idle to do so as it would be to bind a cord tightly around your arm and expect the circulation of the blood to continue. There is no measure of public emergency so avowed and so conspicuous as this, and this order should pass.

[Applause having frequently been made in the galleries, the President stated that if repeated he should be obliged to clear them.]

Mr. Pickering said he was not aware of anything in the charter till this evening allowing the assessment of betterments.

Mr. Keith explained that the right was conferred by an act passed by the last Legislature.

Mr. Pickering on this point stated that he should protest against the people of East Boston being oppressed in such a way, of assessing the expense of the ferries upon them. It had been said that the City Council might at any time reneal his order. He did not so view it, for it would be a part of the conditions of the purchase.

Mr. Jenks of Ward Three said he should vote for the order, although he did not believe the property was worth sixty per cent. of the amount stated in the order. He should do so to take the ferries out of the hands of the most heartless concern that ever existed in this country. Alderman Tal-

bot upon the coal transaction was cited as evidence of the charges which he made. He had a note in his possession from a gentleman who sold his stock in 1867 for $35 on a share, and now it was proposed by the Committee, if his figuring were correct, to pay the Company $120 per share. He believed that the ferries should be made free, the city should charge the $275,000 purchase money to profit and loss, and make an appropriation sufficient to run the ferries, which could be done at a less expense than the interest on the cost of the South Boston improvement.

Mr. Wadsworth of Ward Four said he was somewhat surprised at the conclusion at which the committee arrived. After they had authority to report upon the value of the property, they asked for $2500 to obtain an appraisement. When they obtained that appraisement, they thought they knew much better than the appraisers, and put on an addition of $46,000 more than it was appraised at. But he did not believe that the corporation would take the amount offered, and so the passage of the order would be of no avail. The people, however, had asked for free ferries, and numerous petitions were presented to that effect, and now it is said the people do not ask for free ferries.

Free ferries, however, will be demanded, and as in the case of the unjust judge yielding to the importunities of the suitor, the city will yield to the importunities of the people. He did not believe that the city was bound to furnish free ferries any more than it was to furnish free rides to people to the other portions of the city. In his view it did not follow that what benefited one section benefited all, for in some cases it might injure other sections. The gentleman from Ward Fifteen had said that the act to purchase the ferries permitted the assessment of one-half the cost upon the citizens, but he had it from the best authority that it would not stick.

Mr. Nelson of Ward Nine inquired if the act was not passed after consultation with the City Solicitor.

Mr. Wadsworth did not believe the City Solicitor would say that the city had the power to bind the people of East Boston in this matter. The act of incorporation gives the city power to enforce the obligations of the Ferry Company.

Mr. Hall inquired if the city had not required the Ferry Company to increase their accommodations; and yet the Ferry Company had defied the city.

Mr. Wadsworth replied that as in the case of the boy who would not come down from the tree when grass was thrown at him, sticks and stones must be thrown, and the Company must be made to forful its obligations; East Boston is separated from the rest of the city by a channel, and must always remain so. This has always existed, and must always exist, and it cannot be remedied. Accommodations can be supplied only by boats, but they could not remove the obstacles. The corporation can put on more boats, but it would not be just to the other wards to make them pay the expense of free ferriage of the people of East Boston to the city. He should therefore vote against the order.

Mr. Hall said the gentleman from Ward Four had not adduced a single argument against the passage of this order. The people of East Boston did not ask for free ferries. Is it not fair, he asked, that the city should remove the obstacles to the facilities of communication? East Boston had helped to pay for improvements in other sections of the city, and the people now only asked for protection for their interests and property. They asked for ordinary facilities, and they pay for extraordinary expenditures elsewhere. He could not say what might be in the future. Bridges had been freed, and nothing so builds up a city as free and broad avenues. They could not tell who might come here in the future and ask for free ferries, but they asked for nothing of the kind today, only that the city should buy the ferries.

The reason why the provision of the act of last winter in relation to the assessment of expense of the purchase of the ferries upon the people of East Boston was not mentioned in the report, was that the City Solicitor did not believe it was good for anything. Yet the people would willingly bear the expense. He had a letter from a gentleman in New York, a large owner of property in almost every street in East Boston, who says he would pay his proportion if only the purchase of the ferries could be made. So far as enforcing the bond against the Ferry Company, Mr. Healy says it is not worth anything, and the company don't care a fig for the city. The Company has a power which the city cannot reach.

In spite of the City Government, the Ferry Company refuses to give the accommodations needed, and in spite of the city the Company obtains an increase of tolls. He knew all about the ferry, and so far as appointing appraisers to appraise the value of the property, and then making a higher valuation by the committee, it came about because the appraisers could not get access to the property to make a full appraisement. They gave the best opinion they could, and the Committee found there were certain rights and privileges which they could not reach, and that was the reason for an increase of the offer.

The citizens of East Boston had suffered for years for want of ferry accommodations, and they ask no relief except that the city purchase the ferries and impose a reasonable toll which will pay such an amount as will not be a burden to the city. There was no measure before the City Government which offered such relief to its citizens as this. It would give an increase in the value of the property at East Boston of 50 per cent. in five years. From his knowledge of the Ferry Company he believed that $275,000 would purchase the property. The passage of this order would settle the question, and 26,000 people would ever hold this Council in grateful remembrance.

Mr. Wadsworth said he did not believe the additional items relative to a right of way referred to by the Committee, which the appraisers did not take account of, would weigh one feather. In reply to the statement that East Boston paid her share of other improvements, he doubted it, and made a statement of receipts and expenditures in the five years from 1851. During that period there was received from taxes at East Boston $293,000, and the expenses of grading the streets, widening and lighting were $297,000, to say nothing of the outlay for schools, police, paving, public institutions and numerous other expenditures.

Mr. Denny of Ward Ten said he was willing to assume that the people of East Boston had been subject to gross mismanagement, but he could not admit that the city should purchase the ferries on their account. The question of free ferries had come up here, unfortunately, and so far as related to the amendment, in voting for it, he had nothing to do with any supposed future action in its repeal. He was willing to vote for the purchase should the amendment prevail, but otherwise should vote against it.

Mr. Wells of Ward Three did not agree with the gentleman from Ward Four in regard to his statement. He had something to do with the matter of granting the right of way to the Ferry Company and of the use of the wharves, docks and slips. He was willing to vote $275,000 and secure the $150,000 which it cost the city to aid the ferry companies, and thought it would be cheap at that.

The previous question was ordered, and the question on the amendment was taken by yeas and nays.

The amendment was lost by a vote of 23 yeas to 32 nays, as follows:

Yeas—Bond, Braman, Butler, A. F. Cole, Conant, Daniels, Denny, Emerson, Gay, Going, Hall, Hobbs, Osborn, Pickering, Poor, Richards, Rogers, Snow, Squires, Tucker, Vannevar, Wadsworth, Woods.

Nays—Belknap, M. J. Cole, Crowley, Davis, Dinsmore, Doherty, Flanders, Flynn, Frost, Gray, Hopkins, Ingalls, Jacobs, Jenks, Johnston, Judson, Keaney, Keith, Kingsbury, Learnard, Leighton, Lucas, Malone, Nelson, Noyes, Pote, Ryan, Talbot, Wells, Wilkins, Woolley, Young.

The orders were passed by a vote of forty-two yeas to thirteen nays, as follows:

Yeas—Messrs. Belknap, Bond, A. F. Cole, M. J. Cole, Crowley, Davis, Dinsmore, Doherty, Emerson, Flanders, Flynn, Frost, Gray, Hall, Hobbs, Hopkins, Ingalls, Jacobs, Jenks, Johnston, Judson, Keaney, Keith, Kingsbury, Leighton, Lucas, Malone, Nelson, Noyes, Osborn, Pote, Rogers, Ryan, Squires, Talbot, Tucker, Vannevar, Wells, Wilkins, Woods, Woolley, Young—42.

Nays—Braman, Butler, Conant, Daniels, Denny, Gay, Going, Learnard, Pickering, Poor, Richards, Snow, Wadsworth—13.

[Loud applause from the crowded galleries greeted the announcement of the vote. Mr. Wadsworth moved that the galleries be cleared but did not press the motion. The crowd soon after left,

giving three cheers as they made their way down stairs.

Mr. Jenks moved a reconsideration of the vote on the passage of the orders, which was lost.

A motion by Mr. Denny to adjourn was lost, nineteen to twenty-eight.

WIDENING OF HANOVER STREET.

The special assignment for 8½ o'clock was taken up, the resolve and order for the widening of Hanover street, between Blackstone and Commercial streets. [Printed City Doc. No. 76, 1869.]

The resolve and order were passed by a vote of 48 yeas, no nays, and without debate.

QUARTERLY REPORT OF SUPERINTENDENT OF STREETS.

*To the Honorable City Council:*

Gentlemen—The undersigned, Superintendent of Streets, has the honor to report that there has been expended and charged to the appropriation for paving, &c., during the quarter ending the 30th ult., for paving, repaving, grading and repairs of streets in the city proper, East and South Boston, and Roxbury, and in the settlement of grade damages, the sum of $253,227 66.

There were bills lodged with the City Treasurer for constructing and repairing sidewalks, &c., during the same quarter, amounting to $9300 77.

The amount paid into the City Treasury during the same period, credited to the paving department, was $1740 59. CHARLES HARRIS, Sup't of Streets.

Read and sent up.

COMMUNICATIONS FROM THE SCHOOL COMMITTEE.

Communications were received from the School Committee, with a request to fit up the Mather Schoolhouse for accommodations for two classes of scholars as soon as it is vacated by Police Station No. 6, and for providing rooms for the School for Deaf Mutes. Referred to the Committee on Public Instruction.

COMMUNICATION FROM THE BOARD OF DIRECTORS FOR PUBLIC INSTITUTIONS.

BOSTON, October 13, 1869.

*To the Honorable City Council, Boston, Mass.:*

Gentlemen—The Board of Directors for Public Institutions respectfully call the attention of the City Council to that portion of the annual report recommending the construction of a sea wall on the southerly side of Deer Island. They desire to commence the work of building a portion of the same the present season. It is intended, if the approval of the City Government shall be obtained, to proceed to build some portion of the wall before the advent of the inclement season, so that the inmates of the House of Industry can be employed in filling the same.

Skilled labor will only be required in laying the stone wall, and the Board do not ask for further pecuniary aid, but estimate that the expenses may be defrayed from the present appropriation without detriment to the interest of the institution. The land thus filled will be found eligible for the erection of coal sheds and landing of stores, besides being a valuable addition to the territory.

The Harbor Commissioners have been consulted in relation to the proposed structure, and have given a favorable response in a communication to the Board, a copy of which is herewith appended.

Respectfully, J. P. BRADLEE, President.

COMMONWEALTH OF MASSACHUSETTS,
HARBOR COMMISSIONERS' OFFICE,
City Hall, Boston, Oct. 11, 1869.

*J. T. Bradlee, Esq., President Board of Directors for Public Institutions:*

Dear Sir—In reply to your communication of this date, I would say, in behalf of the Commissioners, that in their opinion there is no physical objection to the construction of a sea wall along the westerly shore of Deer Island, and northerly from the wharf, if built upon a proper line. Should such a wall be continued along the shore to the southward of this wharf, it would be a valuable improvement and safeguard for the protection of an important island.

As the Commissioners, however, are informed that it is part of the plan for building this sea wall to fill up a large area of flats in the rear of its walk with material obtained from the island, they feel bound to say that this island is so essential as a protection from the winds to a large anchorage ground in Boston harbor known as President's Roads, that no substantial reduction of the general height is admissible; and no removal of material beyond what is required for grading the side of the hill to a proper slope.

Should the wall be built and the filling executed, the line of the wall and the lines for grading the hill should be defined by this Board.

On behalf of the Board of Harbor Commissioners, and in accordance with their vote of this day.

JOSIAH QUINCY, Chairman.

Referred to Committee on Public Instruction.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, to whom was referred the request of the School Committee, that fire extinguishers be placed in the public schools, made a report that in their opinion it is inexpedient to introduce them into those buildings. Accepted.

Mr. Richards of Ward Eight, from the Committee on Streets of the Common Council, to whom was referred the order of Sept. 27th, from the Board of Aldermen, relating to a contract with the Boston Water Power Co. for the conveyance to the city of certain streets laying between Columbus avenue and the Boston & Providence Railroad, and also for the purchase by the city of such sewers as may have been laid in said streets, made a report recommending the passage of the accompanying order as a substitute for that originally presented.

Ordered, That the Mayor and Board of Aldermen be authorized to contract with the Boston Water Power Company for the conveyance to the city by said company of the streets lying between Columbus avenue and the Boston & Providence Railroad, including Columbus avenue; and also to purchase of the said company such sewers as may have been laid in said streets substantially according to the terms and conditions of a proposed contract annexed to the order, and to be in all respects satisfactory to the City Solicitor.

The report was accepted, the substitute order was adopted, and the order as amended was passed and ordered to be sent up for concurrence.

ORDER PASSED.

On motion of Mr. Ryan of Ward Thirteen,

Ordered, That until otherwise ordered, the ward room of Ward Eight be established at the Pine Street Church Building on Washington street at the corner of Pine street, and the ward room of Ward Thirteen at the Mission Chapel at 54 Hampden street.

Mr. Osborn of Ward Six moved to take from the table the order to pay the U. S. Ventilation Co. Rejected.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## OCTOBER 18, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at four o clock, Mayor Shurtleff presiding.

NOMINATIONS MADE AND CONFIRMED.

Benjamin T. Gould as assistant to the Superintendent of Pawnbrokers and dealers in second hand articles, with all the powers of constable except those of serving and executing civil process.

Wm. E. Richardson, assistant to the Superintendent of Trucks and Wagons, with the powers of a constable except to serve and execute civil process.

Wm. M. Small, special police officer without pay, at Twelfth Baptist church, Phillips street.

PETITIONS PRESENTED AND REFERRED.

Lewis Wharf corporation, to be paid for damages caused by laying out Atlantic avenue.

Jarvis Williams and others for the laying out of Commonwealth avenue from Clarendon to Dartmouth street.

Willard Phillips, for apportionment of High street betterment into three parts.

J. G. Smith and others, that the passageway or street between Warren avenue and Appleton street, and extending from Berkeley to Clarendon street be accepted.

Severally referred to the Committee on Streets.

Wm. Evans, for leave to remove four trees from sidewalk of Washington street, near Lenox street. Referred to Committee on Common and Squares,

John B. Babcock and others, that the passageways in the rear of East Chester avenue be graded and paved.

Ann Flood, to be paid for grade damages on D street.

Theodore Smith and others, that Hanover street from Elm street to Court street be paved with Nicolson pavement.

John L. Hunnewell and others, for sidewalks on Meridian street near Eutaw street.

School Committee of Eliot School, that North Bennet street be paved with wood.

Severally referred to the Committee on Paving.

Adonijah White and others, to be paid for damages occasioned by construction of railroad tracks, &c., in Ferdinand street. Referred to Committee on Church Street District.

F. A. Schell, for leave to erect a stable for one horse on Smith street.

Samuel B. Krogman, for leave to build a stable rear of 16 Copeland street.

Charles G. Bird, for leave to erect a stable on Copeland street.

Severally referred to the Committee on Health.

New England Electric Gas Light Co., for leave to place their apparatus on street lamps in Arlington and Boylston streets.

R. W. Ames and others, for gas lamp in Auburn place.

S. N. Brown, Jr., and others, for a lamp at passageway of 35 Waltham street.

Severally referred to the Committee on Lamps.

James T. Lakin and others, for the use of Faneuil Hall Oct. 28, for a political meeting.

Referred to Committee on Faneuil Hall.

Cos. B and C 1st Infantry, and Co. H 9th Infantry, that the city building occupied by them for armories be repaired.

Referred to the Committee on Public Buildings.

Wm. S. Shattuck and others, against the proposed change of Ward room in Ward Thirteen.

Laid on the table.

T. F. Lucas and others, that the steeple of the Baptist church on Ruggles street be removed, it being unsafe.

Referred to Committee on Police.

NOTICES OF INTENTION TO BUILD.

George W. Johnson, Middle street, near Federal street; Solomon Sanborn, Bartlett street, between Blanchard place and Lambert avenue; Patrick O'Doherty, corner of Third and K streets; M. Tirrell Hanover street, between Commercial and Ferry streets; John McNeal, Clarendon street, between Appleton and Chandler streets; M. McCarty, 228 Havre street; M. McBarron, 18 Newland street; M. Hayes, Chandler street, between Berkeley and Clarendon streets; George Hargrave, Lexington street, between Marion and Brooks streets; A. Mitchell, Seventh street, between N and O streets; J. N. Sturtevant, 39 Edinboro' street; A. L. Bailey, Fourth street, between M and N streets; N. Wheeler & Co., Milford street, near Tremont street; Peterson & Goodwin, Derne street, near corner of Temple street; Richards & Park, 338 and 340 Tremont street, and 573 Tremont street; John McCormick, Everett street, near Cottage street. Severally referred to the Committee on Streets.

ANNEXATION OF CHARLESTOWN.

A notice of a proposed petition of citizens of Charlestown to the Legislature for the annexation of that city to Boston was referred to the next city Council.

HEARINGS ON ORDERS OF NOTICE.

The orders of notice on the proposed construction of a sewer in Parker street, between Tremont street and Stony Brook, and on the proposed construction of a sewer in Sixth street, between M and N streets, were taken up. No person appearing in relation to either of them, they were each recommitted.

The order of notice on the proposed laying out of Lamartine street fifty feet wide, between Centre street and West Roxbury, was considered.

Thomas P. Proctor objected on the part of D. S. Smalley to the laying out of the street as proposed on the plan, and to the disturbance of an estate which had been in the family several generations, and which would not be benefited by the street.

Gen. W. R. Lee objected that the public necessity does not require the laying out of the proposed street. Having always lived in the neighborhood, he did not believe there was the slightest necessity for the road. He had understood the principal reason was to relieve the travel crossing the railroad at the Boylston station; but this travel he was convinced would continue to be over the same road. To the parties he represented the advantages would not be of any account; neither would it be of any benefit to any one except Mr. Gaffield, who had projected it.

Thomas Gaffield said the petition did not originate with him. When he bought the land he was told that a petition was on file for the laying out of the street, and the only reason why it had not been laid out some time since, was that the ownership of the land was so tied up by heirs that it could not be done without much trouble, some of the heirs living in the Sandwich Islands. The design in its origination was to avoid the crossing of the railroad at grade, and the County Commissioners approved of it before the annexation of Roxbury to Boston.

The report was recommitted.

The order of notice on the assessment of damages to estates by the laying out of Atlantic avenue was considered.

Chas. A. Welch wished to call the attention of the Board to one fact, that it was not determined what the grade of the new avenue was to be, consequently it would not be clear what the damages to the parties adjoining the avenue may be. It was understood that the superintendent of its construction was constructing it on a certain grade, but that grade had not been fixed by the Board, and when it was determined the parties interested could better estimate what their damages amount to.

The report was recommitted.

The order of notice on the further widening of Tremont street, at the corner of Pleasant street, was considered.

N. B. Bryant appeared in behalf of W. W. Page, whose estate was proposed to be taken. In the original project for the widening of the street, nearly all of the estate of Mr. Page was taken, and this was subject to a law suit, which was recently settled. When that settlement was made, it was not contemplated to take any more of this estate. Believing there was no necessity for taking the narrow strip which was left, and the Board having neglected to take it when the public necessities required the widening of the street, even for the purpose of conveying it to the parties

owning the adjoining estate, they protested against the taking of the land at this time for such a purpose, and denied the right of the city to do so.

The report was recommitted.

The order of notice on the petition of L. Prang & Co. and others, for the removal of the track of the Metropolitan Railroad Co. on Washington street, between Eliot street and Pynchon street, was taken up. W. E. Parmenter, for petitioners, asked for a delay on the subject, the gentleman who had the subject specially in charge being absent, and he had not been able to fully inform himself in relation to it.

Alderman Talbot stated that this hearing was particularly for the purpose of listening to the objections of the Railroad Company, a *prima facie* case being supposed to be made out by petitioners. If necessary, they can further be heard before the committee.

No other person appearing, the report was recommitted.

The order of notice on the proposed laying out of Ferdinand street was considered, when a remonstrance was presented and read from S. Ames and others, who objected to laying out and accepting the street, for the reasons that the lines of the street were not straight and it was not of sufficient width to accommodate public travel. The remonstrance was referred to the Committee on Streets, and the report was recommitted.

The order of notice on the proposed laying out of Zeigler street from Warren street to Guild row was taken up, and no person appearing in relation thereto, the report was recommitted.

UNFINISHED BUSINESS.

The following orders were read a second time and passed.

Ordered, That there be paid to James J. Gihlin the sum of $800 in full compensation for all damages done to his estate numbered 24 and 26 Broadway by the raising of the grade of said Broadway, upon his proving his title to said estate to the satisfaction of the City Solicitor, and upon his giving to the city an acquittance and discharge for all damages, costs and expenses on account of the raising of said grade; the same to be charged to the appropriation for the extension of Broadway.

Ordered, That the Committee on Common and Squares be authorized to contract for building an iron fence around the promenade on Commonwealth avenue, between Berkeley street and Clarendon street, and reset the granite base now laid for that purpose, at an expense not exceeding $5500, said sum to be transferred from the Reserved Fund.

The report and order of the Church Street Committee, authorizing the discharge of the Church Street Commissioners, were considered, when the order was read a second time and passed, as follows:

Ordered, That the Commissioners on the Church Street District be and they are hereby discharged; and that the Joint Special Committee of the City Council on said District be authorized to exercise all the powers conferred on said Commissioners by the orders of the City Council, and also to appoint a person to take charge of the unfinished work on said District, who shall perform such services, and receive such compensation therefor, as the said Committee may direct.

PAPERS FROM THE COMMON COUNCIL.

The quarterly report of the Superintendent of Streets was read and ordered to be placed on file.

The action of the Council on the following report and requests, was concurred in:

Report of Committee on Public Buildings, that it is inexpedient to place fire extinguishers in the several schoolhouses. Accepted.

Request of School Committee for additional rooms in Mather Schoolhouse. Referred to Committee on Public Instruction.

Request of School Committee for schoolrooms for deaf mute scholars. Referred to Committee on Public Instruction.

Request of Directors for Public Institution for appropriation for a sea wall on west front of Deer Island. Referred to the Committee on Institutions.

The order to establish Ward Room of Ward Eight at Pine Street Church Building, and Ward Room of Ward Thirteen at 54 Hampden street, being under consideration, the remonstrance from Wm. S. Shattuck and others against the change of the Ward Room in Ward Thirteen was also considered.

Alderman Richards said he was sorry that these two measures were coupled together. That the members of the Board might better understand the matter in relation to the Ward Room in Ward Thirteen, he had a map showing the present location of the Ward Room and the proposed location, which he would ask the Messenger to hand to them. The Ward Room is now in a Hose House, changed from a hand hose to a horse hose, with the driver living in the building. It is small and inconvenient to the citizens, while the room proposed is thirty by sixty feet, near the centre of the Ward and well fitted for the purpose. The present Ward Room is near the line of the Ward. Were the circumstances equal in regard to the location, the Committee would not hesitate to make the change, but from the inconvenience of the present house, the change is much more required.

Alderman Pratt inquired if the subject had been before the Committee on Public Buildings.

Alderman Richards thought it had not.

Alderman Pratt supposed it had from the manner in which the Alderman spoke on the subject.

Alderman Richards said it came incidentally before the Committee on the Fire Department, who saw that the present ward room was less suitable now than it had been for such a purpose. The remonstrance, he supposed, came from those who resided in that locality. He did not know how the order originated, but the present locality not being a proper one, there should be a change, and he hoped the order would pass.

The order was passed in concurrence.

The order (as a substitute to the order passed by this board) to contract with the Water Power Company for the purchase of certain streets and sewers on Back Bay, was passed in concurrence.

REPORTS OF COMMITTEES.

Alderman James, from the Committee on Common and Squares, reported in favor of petition of John A. Black to be allowed to remove a tree at the corner of Warren and Monroe streets, at his own expense. Accepted.

Alderman White, from the Committee on Licenses, reported in favor of licenses to four newsboys, two boys as bootblacks, and one to sell boot-laeings; also, licenses to sundry persons to keep a billiard saloon, as an inn-holder, victualler, an auctioneer, for wagon-stands, the transfer of wagon licenses, and of pawnbroker's license. Severally accepted.

Alderman White also reported leave to the Coliseum Association to give concerts in their building. Accepted.

Alderman Talbot, from the Committee on Laying Out and Widening Streets, reported, on the order of notice relative to laying out Lovering place as a public street, that it is inexpedient to take any further action thereon; also inexpedient on the petition of Silas Potter and others that a street be laid out from Woodville square to West Cottage street, at Dorchester line; and inexpedient on the petition of A. M. Leavitt and others for a new street from Woodville square to Dorchester, and on petition of Freeman, Snow & Co., and others, that Shaving street be laid out as a public way. Also that no action is necessary on sundry notices of intention to build. Severally accepted.

Alderman White, from the Committee on Health, reported in favor of granting leave to the following named persons to erect stables for more than four horses, viz: Haley, Morse & Boyden, Harrison avenue; B. F. Sheffield, Ellery street; Samuel L. Rosnosky, Middle street; Patrick F. Gateley, corner of Norfolk avenue and Gerard street; Thos. Lyford & Co., rear of Fulton and Richmond streets; H. & J. Pfaff, Pynchon street, Feronda D. Osgood, rear of 210 Ruggles street. Severally accepted.

Alderman Richards, from the Committee on Fire Department, reported in favor of the petitions of Briggs & Shattuck, to keep coal oil on premises rear of 165 Milk street; of W. R. Mills, to keep petroleum on the first floor of 46 India street, and naphtha in the basement only; and of Capen & Pierce, to store petroleum at No. 8 Custom House street, the petroleum on the first floor and the naphtha in the yard in rear of the store. Severally accepted.

DAMAGES BY THE WIDENING OF TREMONT STREET.

Alderman Talbot, from the Committee on Streets, submitted in print estimates of damages occasioned by the widening of Tremont street, between Boylston street and the Boston & Albany Railroad bridge. The report was accompanied by two orders, with the estimates annexed. The first order was as follows:

Ordered, That the accompanying estimate, made by the Board of Aldermen, of damages occasioned by the widening of Tremont street, by a resolve approved June 6, 1868, be and the same hereby is adopted.

The aggregates of the items under this order are as follows: 26,828.81 square feet of land; ranging per foot from $2 to $12; value of the same $161,313 37; value of old materials cut off $10,320 20; damages to buildings, owners and occupants, $159,137 29; total amount of damages to the estates $323,450 66. No estimate of grade damages was made, amounting to about $43,000, the city not intending to assess under the betterment act the full amount of the cost of widening and grading the street.

The second order was as follows:

Ordered, That the accompanying estimate, made by the Board of Aldermen, of damages occasioned by the widening of Tremont street by a resolve approved August 14, 1868, be, and the same hereby is, adopted:

The aggregates of items under this order are as follows: 3698 square feet of land taken, on the westerly side from Boylston street to Seaver place, at from $4 to $17 per foot; value of land, $54,633; value of buildings before widening, $128,300; value after widening, $61,100; value of old materials cut off, $7100; damages to buildings, owners and occupants, $80,600; total damages, $135,233, all of which have been settled.

The orders were each adopted.

ORDERS OF NOTICE.

Orders of notice were reported and adopted as follows:

On the petition of Thos. Milligan, for leave to erect a stable on Alger street. Hearing Monday, Oct. 25, 4 P. M.

On the petition of E. & G. G. Hook, for leave to use a steam engine on their premises, 1131 Tremont street. Hearing Monday, Nov. 8, 4 P. M.

On the proposed laying out of Highland avenue. Hearing Tuesday, Nov. 2, 4 P. M.

On the proposed widening of Hawthorn street, at its junction with Cedar street. Hearing Tuesday, Nov. 2, 4 P. M.

On the proposed laying out of Linwood street. Hearing Tuesday, Nov. 2, 4 P. M.

ELECTION WARRANTS.

On motion of Alderman Fairbanks,

Ordered, That warrants be issued for meetings of the legal voters of this city in their respective wards on Tuesday, the second day of November next, at 8 o'clock A. M., then and there to give in their ballots for the following State officers, viz: a Governor, a Lieutenant-Governor, Secretary, Auditor, Treasurer and Receiver General, Attorney General, Councillors for Districts 3 and 4, six Senators for Suffolk county and one for Norfolk county, thirty-three Representatives for Suffolk county and four Representatives for Norfolk county; also for one Commissioner of Insolvency in place of Augustus O. Allen, deceased.

All of the foregoing to be voted for on one ballot. The polls to be kept open till 4 o'clock P. M.

On motion of Alderman Richards,

Ordered, That the Chief Engineer of the Fire Department, under the direction of the Committee on the Fire Department be authorized to have Relief Engine No. 4 repaired at an expense not exceeding $800, the same to be charged to the appropriation for the Fire Department.

On motion of Alderman Seaver,

Ordered, That the Committee on Police be authorized to visit New York, Philadelphia, and other cities, for the purpose of examining their police systems, the expense therefor, not exceeding $600, to be charged to appropriation for Police.

Ordered, That the bills incurred for replanking the draw of Mount Washington avenue bridge and repairs on said bridge, amounting to $1096 41, be paid, said amount to be charged to the appropriation for bridges.

On motion of Alderman Fairbanks,

Ordered, That the following charges be and are hereby made in assessments for sewers, viz: On Purchase street, $130 37 to be abated from Reuben A. Richards and assessed upon J. M. Roberts; also $50 82 to be abated from Henry L. Richardson and assessed to Henry L. Richardson's heirs; also $27 37 to be abated from Jacob Ames's heirs and assessed upon Jacob Amee's heirs. On Blossom street, $75 18 to be abated from John Curtis and assessed upon Harriet E. Kingsbury.

On motion of Alderman Van Nostrand,

Ordered, That the Treasurer be directed to refund the tax illegally assessed upon certain personal property belonging to John G. Palfrey, in 1868, and paid by him under protest, together with interest on said amount, from the date of said payment, amounting in all to $138 50.

On motion of Alderman Talbot,

Ordered, That there be paid to Henry Lawn $1062 50 for land taken and damages of every nature occasioned by the extension of Broadway, under resolve of May 3, 1869, to be charged to the Broadway Extension Loan

Ordered, That there be paid to John Bacon $5000 for land taken and damages occasioned his estate on Piedmont street, under a resolve of Sept. 25, 1868, to be charged to the appropriation for laying out and widening of streets.

Ordered, That there be paid to Patrick Kenna the sum of $100 for land taken and damages occasioned by the laying out of Ward street, by a resolve of June 14, 1869.

Ordered, That there be paid to Eli E. Bemis, administrator of the estate of Eliza Bemis, the assignee of a mortgage on estate of heirs of James Truss, $1867 48, for his mortgagee's interest in the said estate of the heirs of James Truss, and for all damages of every nature occasioned him as mortgagee of the said estate, by the widening and grading of Washington avenue thereon, under a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That the Committee on Laying Out and Widening Streets be and they hereby are authorized to sell by public auction the remaining portions of the estates surrendered to the city on Oliver street, in pursuance of chapter 159 of the Acts and Resolves of the General Court of the Commonwealth of the year 1865.

Ordered, That the Committee on Laying Out and Widening Streets be authorized in behalf of this Board, and with concurrence of His Honor the Mayor, to contract with the Boston Water Power Company for the conveyance to the city of certain streets and sewers in the territory as specified in the order of the City Council passed this day.

Ordered, That for the purpose of settling the damages occasioned by the widening and grading of Purchase street, there be purchased of Mrs. Catharine Ray her estate numbered 136 on that street, for the sum of $8500; and that the same be charged to the Fort Hill Improvement Loan.

On motion of Alderman White, orders were passed to collect assessments for abating nuisances on Saxon court and Potter street, also to abate nuisances on Hayward place and Sewall place.

On motion of Alderman Fairbanks, orders were passed for the collection of sewer assessments, in the aggregates as follows: Winthrop street, $2012 92; Grenville street, 1445 49; Tremont street, $2565 54; Bowker street, $1431 13; Warren street, $2548; Friend street, $713 32; Cedar street, $1269 72; Avon place, $956 38.

BOARD OF STREET COMMISSIONERS.

On motion of Alderman Talbot, the order from the Common Council for the Mayor to petition the Legislature for authority to appoint a Board of Street Commissioners, was taken from the table, the order being as follows:

Ordered, That His Honor the Mayor be requested to petition the next Legislature for an act to amend the city charter, to provide for a Board of Street Commissioners.

Alderman Talbot offered the following as a substitute:

Ordered, That His Honor the Mayor be authorized to petition the Legislature at its next session to pass an act enabling the City Council of Boston to establish a Board of Street Commissioners, and to define their duties.

Alderman Talbot said he was not sure but that the city charter now gives the authority to be asked for, and by the adoption of the substitute he believed it would not be necessary that the city charter should be amended. The Legislature makes laws, and may pass such a law as may be necessary

to enable the city to exercise the power proposed. In regard to the question of establishing a Board of Street Commissioners, the Board were not entirely of one mind, and there were questions relating to the extent of the powers to be exercised by these Commissioners. Does the City Council propose to give them the power to lay out all the streets and to determine the amount which shall be assessed for the laying out and widening streets, or does it intend merely to give the Commissioners the power to superintend what in the judgment of the Council should be done? These are questions to be considered.

The proposed amendment only asks the Legislature to pass an enabling act, and that would be sufficient, while it leaves the question for consideration what rights the City Council were disposed to yield. It would be hard for the Board just as they are about to go out of office to vote that they have a want of confidence in their successors. So long as it was not clear what power was possessed by the City Council on this subject it was sufficient to petition the Legislature for an enabling act and take time to consider further the subject in all its effects on the public interests. He believed that was as far as they need to go at the present time.

Alderman Pratt said this was a very important question, which he should prefer to consider more fully, and the adoption of the order might commit the Board to a line of policy which could not be foreseen. It was so important that it should not be acted upon hastily. The question was whether the Board should relinquish all their powers; whether the City Council did not represent the sentiment of the people in the expenditures for streets, and are more under control of the people than commissioners elected by a smaller board. He hoped the substitute would not be acted upon now, but that time would be taken to consider the subject, and that the sentiment of the community would be ascertained. He moved that the subject be laid on the the table. Carried.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## OCTOBER 21, 1869.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Petitions, and notice of petition to the Legislature for the annexation of Charlestown to Boston, were referred in concurrence.

The order to purchase the estate of Catharine Ray, for eight thousand five hundred dollars, in settlement of damages for the widening and grading of Purchase street, was read once.

The order discharging Commissioners on Church Street District, and authorizing Committee on said District to exercise all the powers of said Commissioners, and appoint a person to take charge of the unfinished work, (City Doc., No. 95, 1869,) being under consideration,

Mr. Jenks of Ward Three opposed its passage, stating that there yet remained an expenditure of nearly $100,000 for the Church Street District. He hoped the Commissioners would be retained until the work was complete, for they best knew what was required to be done, and were more familiar with the work than any other persons could be.

Mr. Wadsworth of Ward Four stated that the work was nearly completed, the buildings having been raised, the territory filled, and the contracts settled. In the remaining work to be done, one person could attend to it as well as three, and if the Committee discharge the Commissioners they will employ the chairman of the commission to attend to this work. It was a matter of indifference to him personally, but he could not see the necessity of employing three persons when one can answer the purpose.

Mr. Jenks said there had been a disposition to get rid of the Commission for three months past, but he could not believe in the economy of discharging them when twenty per cent. of the cost of the work, from $80,000 to $90,000, was yet to be expended. It looked like making a family matter of it.

Mr. Wadsworth stated that in what was to be done, most of the work will be done under the direction of the Committee. So far as related to the insinuation that it was a family matter, it might go for what it was worth.

The order was ordered to a second reading by a vote of twenty-two to six. A motion to suspend the rules was lost, and the order was laid over.

The order authorizing a contract to be made for building an iron fence around the promenade on Commonwealth avenue, between Berkeley and Clarendon streets, and for re-setting the granite base, now laid for the purpose, at a cost not more than five thousand five hundred dollars, was considered.

Mr. Keith of Ward 15 hoped the order would not pass. There was no necessity for a fence around the promenade, for no harm could come to it except from cattle, and there was no danger of depredations from cattle upon these grounds. No person would have a disposition to mar these grounds, and he could see no possible benefit, but an actual injury, in fencing the promenade. If he were living on Commonwealth avenue, he would much prefer a lawn without a fence, for if a fence were erected it would obstruct the vision. It would be far better to have a granite base and a lawn for its good appearance. A fence would be a worthless and useless expense, and a detriment to the looks of the promenade, and he hoped the order would not pass.

The order was refused a second reading.

UNFINISHED BUSINESS.

The order authorizing the sheds at the West City Stables to be removed and rebuilt on another part of the lot, at a cost of not more than three thousand dollars, was read a second time and passed, by a vote of 44 yeas, no nays.

PUBLIC PARK.

Mr. Hobbs of Ward Fourteen offered the following order:

Ordered, That a Joint Special Committee, consisting of the President and four members of the Common Council, with such as the Board of Aldermen may join, be appointed to consider and report what action should be taken by the City Government to purchase and lay out a public park for the use of the people.

Mr. Keith of Ward Fifteen inquired if there was not a petition on the subject of the order.

The President read a petition from Marshall P. Wilder and others, citizens of Boston, for the appointment of a Joint Special Committee to consider and report what action, if any, should be taken by the City Government to purchase and lay out a public park for the uses of the people.

The signers besides Mr. Wilder, are George B. Upton, Horatio Harris, Thomas Lamb, Benj. E. Bates, Seth Adams, Alexander H. Rice, Gardner Brewer & Co., Wm. F. Weld, Parker, Wilder & Co., Mudge, Sawyer & Co., Nevins & Co., Lawrence & Co., F. Skinner, Jordan, Marsh & Co., George C. Richardson & Co., Denny, Rice & Co., Franklin Haven, Edward S. Tobey, Geo. Baty Blake, Dale Brothers, Leland, Allen & Bates, Frothingham & Co., Dexter, Abbott & Co., Josiah Bardwell, Henry N. Farwell, Samuel Hall, Kidder, Peabody & Co., Maynard & Noyes, J. S. & E. Wright & Co., Wm. Endicott, Jr., A. M. Kimball, Geo. H. Ricker, N. H. Emmons, Chas. L. Woodbury, Peter Harvey, Faulkner, Kimball & Co., White, Browne & Co., Andrew T. Hall, Josiah Quincy, Geo. W. Chipman & Co., Edward Crane.

Mr. Keith, in support of the order, made some statements relative to public parks in other cities. In New York they had a park of 800 acres; in Philadelphia one of 2000 acres, extending two and a half miles along the river; in Baltimore there was a park of 400 to 500 acres; and in Chicago a large one also. On a visit to Providence a few days since, he learned that 430 acres had been secured for a park, and that for a city of only 70,000 inhabitants. From these statistics it appeared that Boston was far behind other cities in regard to the importance of laying out public parks. This order contemplated an inquiry only on the subject, and no harm could be done, but much good in making the inquiry. If the report should be favorable, a park might be laid out without unreasonable expense. An application could be made to the Legislature for authority to take and lay out the land for such a purpose. With such authority the city can take the land on similar terms as in the taking of the land for other public uses, at a fair valuation, without being compelled to bargain with individual holders of lots. Should the city undertake to buy of individuals, it will be required to pay an unreasonable sum. In the first place, authority should be obtained to take the land.

The report of the Commissioners on the Park in New York states as the effect of laying out of the park, the amount received from taxation because of the increased valuation of the estates adjoining it was much more than sufficient to pay all the expenses of maintaining the park.

In answer to a question of Mr. Jenks of Ward Three, he stated that the original outlay was $3,000,000, but he did not know what amount had since been expended upon the park. Probably too much outlay had been made for costly bridges, &c. The increased value of property around the park amounted to $50,000,000. With that fact and the economy exercised in the laying out of Forest Hill Cemetery by the City of Roxbury, he believed such a park could be laid out at a moderate expense.

The sale of lots in Forest Hills Cemetery constituted a sinking fund for the repayment of the cost of the Cemetery and payment of expenses, and it had not cost a cent to the city, and there was a balance in the treasury. That was the difference between a wise and unwise expenditure of money. In the matter of a public park, the City Government could not act too early if they wished to secure a good locality.

Mr. Wells of Ward Three said there were drives through Brookline and Brighton as good as there were in New York through Central Park. With an expenditure of $200,000 on the roads out in that direction, they would be as good as can be found elsewhere. If such a park is wanted as in Philadelphia, let some gentleman give the land. We don't need such a park, for the poor have all they want, on the Common, and they could not go to such a park as is proposed out of town. He was one of the lucky ones who went out to Dorchester to see a place proposed. This was in a hollow where there was no scenery. If such a park is to be laid out, let it be on the Milldam. The reservoir in Brookline had cost near $3,000,000 and $125,000 had been expended on the driveway road, and

he asked, who goes there? The citizens don't ask for such a park, which is only for gentlemen and their families. It is not needed, and he hoped the order would not pass.

Mr. Jenks of Ward Three believed the taxpayers would demand an insane hospital for the reception of the members of the Council if they went on in this way much longer in the spending of money. Go on State street and it would be found that the people are almost demented at the state of business and finances. He also went to the exhibition at Dorchester and saw the keeper of the menagerie. He was told by him that no man who opposed the park would be elected to the next city Council. He also gave him, at his request, the names of two or three legal gentlemen of influence in the Council. He believed it to be a scheme to inveigle the people into the measure for the purpose of buying lands already bonded by speculators. For fifteen years to come Dorchester would not be able to pay its running expenses, and now this proposition was made for the benefit of the people there. He therefore would move as a substitute that the committee be instructed to report on a suitable site for an insane hospital.

The chair directed that the amendment be put in writing.

Mr. Judson of Ward Fourteen said it was true the city government had expended money largely for improvements, and the tax-payers understand it. Thousands upon thousands of dollars had been expended which would not again be required in a life-time, and the next generation would not need to expend money in the same direction. He had been in favor of a public park. Other cities had bad laid out such parks—

Mr. Nelson of Ward Nine rose to a point of order, that the question under consideration was the amendment proposed, relating to an insane hospital.

Mr. Judson did not understand that that was the question, and was proceeding to speak further on the subject of a park, when

Mr. Nelson raised the question again.

The Chair was about to rule upon the point, when the amendment in writing was offered, as follows:

That a committee of —— be appointed, with such as the Board of Aldermen may join, to examine and select a site for an insane hospital and report the result.

Mr. Keith stated that the subject of an insane hospital was now before the Committee on Public Buildings, and had been for three or four months. They had been looking for a suitable site, and he thought it probable they would soon report. He did not know whether the report would be acceptable to the gentleman from Ward Three, but being under consideration, he did not think it necessary to refer the subject to a special committee. The gentleman talked as though this committee was to expend money. It was simply a matter of investigation. He had never before known such requests to be refused.

Mr. Jenks inquired whether poor persons or people with servants in livery congregated in Central Park?

Mr. Keith said there were ten poor people to one rich one The rich are the ones who will have to pay for this park and they can afford to ride as far as they may, while the poor cannot afford to ride great distances to a park. He hoped therefore, out of respect to the petitioners that this order would pass.

Mr. Wells of Ward Three, said he disagreed with the gentleman with respect to the people who visited the Central Park. He had been there many times and had never seen 200 poor people in the park. He never saw a laboring man on the gravel walk without seeing a policeman after him. The carriages which go there monopolize the travel. So far as the argument goes in relation to the persons petitioning for this park, he did not doubt that the man who got the signatures, could get as many to hang him (the speaker) and as many to reprieve him. The same gentleman who showed him the ground at Dorchester, stated that there were to be three stations near this park, one at each end, and the cost of getting there would be six cents. This would be an expense of twelve cents to go and return, which poor men could not afford. He was told also that they were going to have a hotel out there. He did not believe in such speculations, but he supposed the wires would be pulled in favor of this scheme, and would stake his life on it that the parties would succeed in carrying it.

Mr. Nelson moved as an amendment, "and a vote on this order shall not be considered *prima facie* evidence of insanity," which was adopted.

The amendment of Mr. Jenks was rejected.

Mr. Wells moved an indefinite postponement of the order, which was lost, by a vote of 12 yeas to 36 nays, as follows:

Yeas—Butler, M. J. Cole, Crowley, Dinsmore, Doherty, Gray, Jenks, Pickering, Rich, Richards, Wells, Woods.

Nays—Batchelder, Bond, Braman, A. F. Cole, Conant, Emerson, Flanders, Flynn, Hobbs, Hopkins, Ingalls, Jacobs, Johnston, Judson, Keany, Keith, Kingsbury, Learnard, Leighton, Lucas, Nelson, Noyes, Osborn, Pearson, Poor, Pote, Ryan, Snow, Squires, Talbot, Tucker, Vannevar, Wadsworth, Wilkins, Woolley, Young.

Mr. Jenks moved to lay the subject on the table. Lost, 5 to 24.

Mr. Jenks moved a postponement for three weeks, which was lost, when the order was passed.

The chair appointed as the committee the following persons, declining to act upon it, as provided by the order: Messrs. Hobbs of Ward Fourteen, Keith of Ward Fifteen, Osborn of Ward Six, Jenks of Ward Three, and Ingalls of Ward Twelve.

REPORTS OF COMMITTEES.

Mr. Osborn of Ward Six submitted several ordinances in print, which were read twice and passed.

The first provided for the appointment of a Committee on Claims, the same number as at present, to investigate all claims except for damages relating to streets and the abatement of nuisances, to take such steps as may be expedient to defend the city in suits at law for the recovery of claims, and authorized with the approval of the Mayor to settle and adjust any such claim, not exceeding in amount $500.

Three other ordinances provided for the establishment of the offices of the Superintendent of Lamps, of Clerk of Committees, and the Mayor's Clerk.

An ordinance to amend an ordinance in relation to streets is as follows:

Section 1. The ordinance in relation to streets, printed in the edition of laws and ordinances of 1863, is hereby amended by striking out the fourth section, and inserting in place thereof the following:

"Sect. 4. The said superintendent is authorized, with the approval of the Board of Aldermen, to appoint such assistants as he may deem necessary; said assistants to act under his control and direction, and to receive such compensation as the City Council may from time to time determine. The said assistants may be removed at any time by the said superintendent, or the Board of Aldermen."

Also, by striking out the twenty-second section, and inserting in place thereof the following:

"Sect. 22. No person or persons shall hereafter erect, fasten or affix, any canopy, awning, shade, shade-frame, or shade curtain before any house, shop, or store in any street or highway; or fasten or affix any awning, shade, or shade-curtain to any wooden or iron frame already erected, fastened or affixed to any house, shop or store on any street or highway, without first obtaining permission in writing from the Superintendent of Lamps; and said Superintendent is hereby empowered to give permits for erecting, fastening or affixing such canopies, awnings, shades or shade-curtains, where in his opinion the public safety and convenience, and the proper lighting of the streets will not be interfered with; and any person who erects, fastens or affixes any canopy, awning, shade, or shade-curtain of any description whatsoever, without such permit, and neglects to remove the same after notice given by the said Superintendent, or any police officer, shall forfeit and pay the sum of two dollars for each and every day the same shall remain after said notice. Any canopies, awnings, shades, or shade-curtains which shall have been erected, fastened or affixed to any building, or any wooden or iron frame, or any street or highway, at the passage of this ordinance, shall be removed forthwith upon the order of the Board of Aldermen; and any person who neglects to remove the same upon said order of the Board of Aldermen, shall forfeit and pay the sum of two dollars for each and every day the same shall remain after said order."

Also, by striking out the twenty-third section, and inserting in place thereof the following:

"Sect. 23. No person shall hang, affix, erect or

fasten, any sigh, show-bill, lantern or show-board of any description whatsoever, which shall projec into or over any street more than one foot, without first obtaining the permission of the Board of Aldermen therefor, which license or permission shall be subject to revocation by said Board at pleasure; and any person who hangs, affixes, erects, or fastens any sign, show-bill, lantern, or showboord of any description whatsoever, without such license or permission, and neglects to remove the same after notice given by the Mayor, or any Alderman or police officer, shall be liable to a penalty of not less than five dollars, nor more than twenty dollars, for every day that said sign, show-bill, lantern, or show-board is allowed to remain after notice to remove the same as aforesaid. All signs, show-bills, lanterns, or show-boards of any description whatsoever, projecting into or over any street more than one foot, which shall have been hung, affixed, erected or fastened at the passage of this ordinance, shall be removed forthwith upon the order of the Board of Aldermen, unless a license or permission shall be obtained from the Board allowing them to remain; and any person who neglects to remove his sign, show-bill, lantern or show-board, which projects in the manner aforesaid, upon the said order of the Board of Aldermen, shall be liable to a penalty of not less than five dollars, nor more than twenty dollars, for every day that said sign, show-bill, lantern or show-board is allowed to remain after said order to remove the same."

Also, by striking out the thirty-eighth section.

Also, by inserting after section forty-eight, the following:

"No person shall carry any boards, planks, ladders, rods, signs, show-boards or show-bills along the sidewalks, or stand on the sidewalks with any boards, planks, ladders, rods, signs, show-boards or show-bills, in such a manner as to interfere with the safety or convenience of foot passengers. Any person who violates the provisions of this section shall be liable to a penalty of not less than two nor more than twenty dollars."

Also, by inserting after the word "sidewalk," in the second line of the fiftieth section, the words "street or highway;" also, by inserting after the word "package," in the third line of said section, the words "building material, rubbish."

Also, by striking out the fifty-first section, and inserting in place thereof the following:

"Sect. 51. The tenant, occupant or any person having the care of any building or lot of land, bordering on any street, lane, court, square, or public place within the city, where there is any footway or sidewalk, and in case there shall be no tenant, occupant or other person having the care of any such building or lot, the owner thereof shall within one hour after any snow ceases to fall in the daytime, and before nine o'clock the next morning after any fall of snow during the night, cause the same to be removed therefrom; and if he fails to do so, shall forfeit and pay a sum of not less than two dollars or more than ten dollars; and for each and every hour thereafter that the same shall remain on such footway or sidewalk, such tenant, occupant, owner or other person shall forfeit and pay a sum of not less than one dollar, or more than ten dollars. The provisions of this section shall also apply to the falling of snow from any building."

Also, by striking out the fifty-third section, and inserting in place thereof the following:

"Sect. 53. Whenever the sidewalk, or any part thereof, adjoining any building or lot of land, on any street, shall be encumbered with ice, it shall be the duty of the occupants, and, in case there shall be no occupant of the whole of said building or lot of land, it shall be the duty of the owner or any person having the care of the same, to cause such sidewalk to be made safe and convenient, by removing the ice therefrom, or by covering the same with sand, or some other suitable substance; and in case such occupant, owner or other person, shall neglect so to do, for the space of six hours during the daytime, he shall forfeit and pay a sum of not less than two, nor more than five dollars, and a like sum for each and every succeeding day that the same shall continue to be so encumbered."

ORDERS.

Mr. Wilkins of Ward Nine offered the following order:

Ordered, That the City Council consider the expediency of reserving a lot of land on Tremont street adjoining the Winthrop School, for school purposes.

Mr. Snow of Ward Eleven inquired what committee would consider the subject.

Referred to Committee on Public Instruction.

Mr. Flynn of Ward Seven offered the following order:

Ordered. That until otherwise ordered, the Ward Room of Ward Seven be established at the corner of Broadway and C streets, in the building known as Franklin Hall.

Mr. Snow of Ward Eleven asked for information on the subject.

Mr. Flynn stated that the police officers were now occupying the room used as a ward room, and there was no place but the one designated in the order. In answer to Mr. Ingalls he said it was the only suitable place.

The order was passed.

Mr. Squires of Ward Eight, from the Joint Standing Committee on Public Lands, to whom was referred the petition of Thomas Hussey for an extension of time in which to build on East Concord street, made a report, recommending the passage of the accompanying order:

Ordered, That the time for erecting and completing a dwelling house upon lot No. 2, East Concord street, as purchased of the city of Boston by Thomas Hussey, October 1, 1866, be and the same is hereby extended for one year from October 1, 1869, upon the express conditions that he pays to the Superintendent of Public Lands the sum of $100, within twenty days from the passage of this order.

The order was read twice and passed.

Mr. Johnston of Ward Twelve offered the following order:

Ordered, That the joint special committee on Soldiers' Relief be empowered to expend a sum not exceeding $3000 in furnishing aid to soldiers and sailors or their families in necessitous circumstances, who are debarred from obtaining the aid provided for by the acts of the Legislature—said sum to be charged to the appropriation heretofore made for soldiers' relief.

Mr. Jenks of Ward Three inquired if a similar order had not been rejected by the Council the present year?

Mr. Johnston stated that it was not precisely the same.

Mr. Jenks made a further inquiry wherein it differed from the rejected order.

Mr. Johnston stated that it differed in the amount called for.

The Chair ruled it in order.

Mr. Jenks raised an objection, and wished to read Cushing as an authority.

The Chair stated that he had already ruled on the question.

Mr. Jenks, about to read his authority, said he had not fully stated his point of order.

The Chair replied that the ruling had been made.

Mr. Jenks could not see how the Chair could prejudge the question before the point had been stated. But if the Chair so ruled he would submit.

The Chair stated that there could be no question on the subject, upon which authority was proposed. If the order differs from the old one, it would be ruled that it was a new order.

Mr. Osborn from Ward Six read from Cushing, page 155.

The Chair stated that he was satisfied on the subject.

Mr. Jenks called for the reading of the former order.

The Chair stated that the question was on referring the order.

Mr. Ingalls asked to have the order read, that he might know how to vote.

The chair, after a further request, read the rejected order.

Mr. Ingalls inquired if the City Solicitor did not inform the committee that this order was illegal.

Mr. Johnston replied that it was not the case.

Mr. Butler of Ward Ten stated that when the order was introduced it was understood the City Solicitor was of opinion that it was illegal, but it was not referred to him. The committee reported adversely to its adoption.

Mr. Johnston said some member might have asked the opinion of the City Solicitor, but the committee did not.

Mr. Jenks read from Cushing, with the remark that he thought the point of order was well sustained.

Mr. Keith suggested that there was a wide distinction between the sessions of Congress from day to day and that of the Council at stated times.

Mr. Jenks read further to sustain his position.

Mr. Keith replied that the difference was between a legislative body and a deliberative body—Congress being a legislative and the Council a deliberative body.

Mr. Butler said he should vote against the order because he believed it to be illegal.

Mr. Johnston stated that some members of the committee were against the former order because the sum was too small, but they were willing to vote for this.

Mr. Jenks said if the aid could be legally granted it would have been given by the committee without coming to the Council.

Mr. Wadsworth moved to amend, by instructing the committee to get the opinion of the City Solicitor.

The motion to refer was passed by a vote of 29 to 11.

Mr. Wadsworth inquired why the motion on his amendment was not put.

The Chair stated that the question of reference takes it out of the hands of the Council.

Mr. Wadsworth inquired if a motion to amend was not in order?

The chair stated that a motion to commit was first in order.

Mr. Osborn of Ward Six moved to take from the table the order to pay the United States Ventilation Co. $1600 for labor performed and materials furnished in introducing their apparatus into the Council chamber.

Mr. Snow of Ward Eleven raised a question of order, that a motion to take the order from the table at the last meeting was refused, and it could not be entertained again under the rules.

The chair ruled that the point of order was well taken.

Mr. Osborn said he disliked to appeal from this decision of the chair, but he should feel obliged to.

Mr. Snow said if the gentleman would withdraw his appeal, he would move a reconsideration of the vote refusing to take the order from the table.

Mr. Osborn declined, believing the principle to be so important that it should be settled at this time.

Mr. Ingalls hoped the appeal would not be withdrawn. In all his legislative experience he had never known such a decision.

The chair read from Section 19 of the rules and orders, and stated that a motion to take from the table which is lost, could not be made again without a motion to reconsider.

Mr. Ingalls said the question was so important that he would move to have it lay on the table for a week.

Mr. Osborn suggested that it had better be a motion to postpone, as he supposed it was meant.

Mr. Ingalls acceded to the suggestion, and withdrew his motion.

The chair stated the question to be, shall the decision of the chair stand?

Mr. Keith said he was sorry to be obliged to differ with the chair. When a matter was laid upon the table a motion could be made at a subsequent meeting to take it up, otherwise it would be entirely out of the control of the Council.

Mr. Pickering of Ward Fourteen read from Cushing to show that a motion to take from the table was in order.

Mr. Jacobs of Ward Five, moved that the matter of appeal be laid on the table.

Mr. Jenks asked if the motion did not carry the whole subject to the table.

The motion was put and carried.

Mr. Snow moved to reconsider the motion refusing to take the order from the table.

The chair stated that the laying of the appeal on the table carried the whole subject with it.

Mr. Osborn said if there was nothing before the Council he would offer a new order. The order was offered, as follows:

Ordered, That there be allowed and paid to the United States Ventilation Co. $1600 for labor performed and materials furnished in introducing their system of ventilation into the Council Chamber, and that the amount be charged to the appropriation for public buildings.

Mr. Ingalls inquired if this was not the same subject which had been laid on the table.

Mr. Wells moved an adjournment. Lost.

Mr. Ingalls raised a question whether the order was not substantially the same as that on the table.

Mr. Osborn stated that it was the same.

The chair ruled that, as such, it was not in order, and could not be entertained.

Mr. Snow moved a reconsideration of the motion to take the former order from the table.

Mr. Ingalls inquired if the gentlemen voted in the affirmative.

Mr. Snow replied if the gentleman knew how he voted he might state it.

Mr. Ingalls said it was not a proper answer and he would ask the clerk.

Mr. Snow said he did not know how he voted, and in the absence of knowledge to the contrary it was presumed that he did.

Mr. Ingalls said he did not know how the gentleman voted, but asked for information.

The chair said it would be presumed he did so vote.

Mr. Jenks raised the question if the gentlemen ought not to have given notice of a motion to reconsider.

The chair stated that the point of order was not well taken.

The motion to reconsider was carried, by a vote of twenty-three to one.

The order being under consideration, Mr. Wells inquired if the gentleman considered the Council Chamber well ventilated? No doubt the parties would get their pay, but it was not right, for the ventilation had been a failure. He moved to amend by providing "that the company shall receive their pay if they put the building in the same order that they found it."

Mr. Osborn said if he believed as the gentleman says, that the ventilation had failed, he should not vote to pay for it. The contract provided for pay if satisfactory, but not otherwise. He believed that there had been a change for the better, and during the crowd of the last meeting he did not experience that burning heat and throbbing of the head from which he formerly suffered so much.

Mr. Wells said if the gentleman would come and sit in his chair he would ascertain whether the ventilation had been a failure or not. When he talked ventilation he had got to talk it to somebody else. It was often the case that the windows, doors and boxes were all open to get ventilation, and in his seat near the door he must suffer from the heat or take cold from the draght. It had cost him forty dollars for a doctor's bill on account of the cold he had taken.

Mr. Snow asked for the provisions of the contracts, for in neither of these orders was there any specific contract.

Mr. Keith stated that the proposition was to put in the ventilation apparatus for $1600. If it proved to be satisfactory, that amount was to be paid; if not, it was to be removed and the company to receive no pay. The committee concluded to report the order, and if the Council were satisfied, they would vote to pay it, but if not they have a right to reject it and the company would take away the apparatus. The chamber had not been marred by putting it in. For his part he had experienced a change for the better in the ventilation. There was not so much heat and close air as formerly.

Mr. Wadsworth said the change was so great he was perfectly satisfied with the ventilation. The change had been very great indeed. He could not see how the ventilators could be responsible for the doors being kept open.

Mr. Wells inquired who it was who cried baby when he asked to have the door closed. He had kept the door open for the benefit of others, to his own disadvantage. He did not need wind enough to run a windmill. Who was it, he asked, who stepped out and asked the policeman to shut off the gas on account of the heat and closeness of air. He did not oppose paying the bill, but he wished to have a proper ventilation or that the parties should take out their apparatus. Let the door be closed for five minutes, and the gentlemen would want it opened.

Mr. Osborn did not think that the superior ventilation could be accounted for by the opening of the doors and windows.

Mr. Hopkins believed the subject had been well ventilated, and moved the previous question.

The main question was ordered, and the amendment was lost, when the order was passed.

Mr. Wadsworth offered an order that the Committee on State Aid obtain the opinion of the City Solicitor on the order referred to the Committee this evening.

Mr. Johnston said if such an order prevailed, it ought to apply to all moneys which may be and have been paid.

Mr. Wadsworth said he wished to know whether the payment was a legal one. The Council is to observe the laws and ordinances of the city.

Mr. Keany of Ward Two said he remembered that the gentleman was not so scrupulous during the war about the payment of money when he was anxious to get recruits.

Mr. Hopkins moved an adjournment. Carried.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## OCTOBER 25, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Ten traverse jurors were drawn for the Superior Court, first session.

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers, without pay—William Snow, for Baptist Church, Fourth street, South Boston; Mallory C. Raymond, for Nos. 45 to 55 inclusive, and Nos. 72 and 74 Tremont street, and No. 5 Tremont row.

PETITIONS PRESENTED AND REFERRED.

Abigail Armstrong, to be paid for land damages on Avon place.

Wm. A. Prescott, that the betterment assessed on estates Nos. 17 to 23 High street, be divided into three parts.

Severally referred to the Committee on Streets.

State Board of Health, in relation to plans for promoting the public health. Referred to the Committee on Health.

Martin Beatty and others, for the extension of the Kendall street sewer.

Louisa C. Towne and others, that a sewer be laid in Linden park.

Severally referred to the Committee on Sewers.

Thomas Richardson, that his claim against the city for land taken on Federal street be adjusted by a reference. Referred to the Committee on Claims.

H. R. Worthington, that sidewalks be laid on the east side of Grenville street.

Samuel A. Way, for the grade of Broadway at the corner of Albany street.

Campbell, Whittier & Co., for compensation for grade damages on Culvert street.

M. Lincoln and others, that crossing stones be laid in Essex street opposite Hersey place.

Middlesex Railroad Company for leave to lay a temporary track in Causeway street to Warren bridge.

L. M. Child and others, that Beacon street be graded, &c., near their residences, from Nos. 400 to 433.

Sargent & Burr, to be compensated for grade damages on Tremont street near Pleasant street.

Severally referred to the Committee on Paving.

NOTICES OF INTENTION TO BUILD.

J. H. Sturgis and C. Brigham, corner of Marlborough and Dartmouth streets; Wm. G. Farnum Sixth street, between P and Q streets; Ivory Harmon, corner of Perrin and Moreland streets; J. F. & D. J. Haines & Co., Tremont, near Putnam street; B. F. Dewing, corner of Church and Tremont streets; Frank Jones, Bros. & Co., corner of Church and Fayette streets; T. K. Daunt, Sixth street, between C and D streets, and on Clapp street; Wilkinson, Carter & Co., Chelsea street, near Gas Works; C. H. Hill, Shawmut place; John Murphy, Baxter street, between C and D streets; E. S. Winchester, corner of K street and Broadway; Webb & Ward, Fifth street, between L and M streets; Seldon Brown, near corner of Orleans and Sumner streets; Richards & Parks, Phillips street; Samuel Stillings, Appleton street, near Berkeley street; A. L. Bailey, Fifth street, between K and L streets; Nicholas Schmitt, Quincy street, near Warren street; G. W. Decatur, Pynchon street, near Metropolitan Railroad stables. Severally referred to the Committee on Streets.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the orders of notice, on petition of Richard Meagher for leave to run a steam engine at No. 31 Way street, and on petition of Thomas Milligan for leave to erect a stable on Alger street, were taken up. No person appearing in either case, the reports were recommitted.

The hearing on the petition of the Metropolitan Railroad Co. for a location in Temple place, was taken up. No objections being made by abutters, the report was recommitted.

The hearing on the proposed widening of Parker and Heath streets, was taken up. No person objecting, the report was recommitted.

UNFINISHED BUSINESS.

The following resolves and orders were read a second time and passed:

Resolve and order to widen Bedford street at the corner of Washington street, by taking 324 square feet of land belonging to Henry A. Thomas; also a parcel of land containing 29 square feet, belonging to Hugh Carey; also a parcel of land containing 40 square feet, and another of 107 square feet, corner of Chauncy street, belonging to the Union Institution for Savings, at from $15 to $37 50 per foot, the whole cost amounting to $15,980.

Resolve and order to widen Tremont street, at the corner of Pleasant street, by taking a parcel of land belonging to Warren W. Page, containing 52 square feet, at a cost of $800.

Alderman Talbot said he supposed the proposed widening was known to the members of the Board as at the corner of Tremont and Pleasant streets. The line as at present made leaves an unsightly wall. As run by the widening of last year, this line was not fully examined by the committee, and if it had been more fully, the widening would have taken in the narrow strip, which the order proposed to take.

A remonstrance from Mr. Page against the proposed further widening was read.

Alderman Bradlee said the statements and objections contained in the remonstrance were precisely the same as given by the counsel for remonstrant before the Board at its last meeting, and as the order had already taken one reading, he moved that the remonstrant have leave to withdraw. The motion was carried.

PAPERS FROM THE COMMON COUNCIL.

The order proposing aid to soldiers' families, who are otherwise excluded from such assistance by law, and to appropriate $3000 for that object, referred to Committee on State Aid), was considered.

Alderman Richards inquired if this order was not the same, virtually, as that acted upon some time since, and reported against.

The order was read.

Alderman James stated that the order was substantially the same as the one referred to, which was reported adversely against, and moved that the order be laid on the table. Carried.

The following orders and references were passed in concurrence:

Report and order extending time for Thomas Hussey to build on Concord street to October 1, 1870.

Order to reserve lot of land near Winthrop Schoolhouse for school purposes. Referred to Committee on Public Instruction.

Report and order to pay U. S. Ventilation Co. $1600 for ventilation of Common Council room.

Petition of Marshall P. Wilder *et als.* for a public park, and an order for appointment of a joint special committee to consider the subject.

Aldermen James, Fairbanks and Pratt were joined to the committee on the subject of a public park.

Order to establish ward room of Ward Seven at Franklin Hall, instead of the Mather Schoolhouse.

The ordinance to amend an ordinance in relation to streets (Doc. 91), being under consideration,

Alderman Richards called the attention of the Board to section 23, as of much importance, and raised the question whether the Board intended to carry the ordinance into effect. Unless an order should be passed requiring all the signs, show-bills, &c., which now project beyond one foot, to be removed forthwith, it will work injustice to all other parties who have not put out such signs and are required to obtain permission of the Board of Aldermen to do so. He did not believe in allowing privileges to one class of citizens which are denied to others, and moved to strike out of the section the words "upon the order of the Board of Aldermen," and called for the yeas and nays.

Alderman Bradlee stated that as a large number of signs, show boards, &c., were now projected beyond the line proposed by this ordinance, it was deemed too sweeping to make them removable by the passage of the ordinance. It was thought

best to frame the ordinance as it is, making them removable upon the order of the Board of Aldermen, and a proper time will be allowed for their removal.

Alderman Richards said if an order under this ordinance was passed, the words forthwith might be qualified, and the parties allowed sixty or ninety days to remove these signs. He agreed that these signs were nuisances, and that they should be removed, but he did not wish to treat one class of citizens different from another.

Alderman Pratt said it was advisable to give the committee discretionary powers in this matter. It had been a practice of many shop keepers to place their signs near lamps, for the purpose of having them seen at night. Yet for that reason they were objectionable in obstructing the light designed for the benefit of all the citizens, and for which the city was obliged to expend large sums of money.

Alderman Richards said the gentleman seemed to misunderstand his amendment, the effect of which he again explained.

Alderman Pratt, after this explanation by Alderman Richards, and a reference to the language of the ordinance, as it would be amended, said he should vote for the amendment.

The amendment was lost by a vote of five to seven, as follows:

Yeas—Hawes, James, Pratt, Richards, Van Nostrand.

Nays—Baldwin, Bradlee, Fairbanks, Rice, Seaver, Talbot, White.

Alderman Richards objected to the following provision, inserted after section 48:

"No person shall carry any boards, planks, ladders, rods, signs, show-boards or show-bills along the sidewalks, or stand on the sidewalks with any boards, planks, ladders, rods, signs, show-boards or show-bills, in such a manner as to interfere with the safety or convenience of foot passengers. Any person who violates the provisions of this section shall be liable to a penalty of not less than two nor more than twenty dollars."

If carried out fully, he said, it may be a great annoyance to certain classes of mechanics, in carrying ladders, &c. Merchants might not be affected by the ordinance, but in some instances, police officers could take advantage to do great injustice to those who are obliged to carry signs, ladders, &c., in the way of their business, and are careful not to molest or inconvenience foot passengers. He had often carried such articles, and should probably do so again. If it was designed to affect the carrying of show-boards or show-bills on the sidewalks, as he supposed it probably was, he would move to amend by striking out all after the word "any" in the first line to the word "signs" in the third line.

Alderman Bradlee said the object was to give the city the control of such matters. It was not designed to affect those who are engaged in their occupations in erecting a ladder, or other employment, but to protect the citizens in their passage on the sidewalks from the danger or inconvenience to which they are subject, or the carrying of the articles designated on the sidewalks.

Alderman Richards said there might be cases in which mechanics would be liable to prosecution. If he was going along the sidewalk with a ladder, and doing so carefully to prevent annoyance, and should be told by an officer to leave the sidewalk, and should make a reply, he might be subject to prosecution by the officer.

Alderman Baldwin said he was opposed to the whole section. He should not envy the officer who made a complaint, or the court who inflicted a fine, upon a poor boy who tried to earn a living by carrying a show board on the sidewalk. The section was arbitrary in its provisions and unnecessary. Such things may be inconvenient, and so are the long trails of women's dresses.

The question was stated to be on the proposed amendment by Alderman Richards.

Alderman Baldwin moved to amend by striking out the whole section, and moved also that the yeas and nays be taken on the motion.

Alderman Bradlee said he had as much regard for poor boys as any one else had. The question was not that of affecting the earning of a living by such boys, but that of the discomfort of pedestrians who were in danger of being hit in the side of the head. The question was, whether citizens were to be subjected to the annoyances and personal danger by the advertising, upon the sidewalks, of entertainments and business of various parties.

Alderman Richards said his objection was not of a theoretical but of a practical character. Under such a provision a mechanic in passing along the sidewalk, without annoyance to any one, might be compelled, through fear of a penalty, to step off into the street when there was no occasion for it. There were other things carried along the sidewalks not enumerated in this provision, and almost everything might be carried.

The question was taken on the amendment of Alderman Baldwin to strike out the paragraph quoted, which was carried by a vote of 8 to 4 as follows:

Yeas—Baldwin, Hawes, James, Rice, Richards, Seaver, Talbot, Van Nostrand.

Nays—Bradlee, Fairbanks, Pratt, White.

The question recurred on adopting the amendment of Alderman Richards, as amended, which was carried, by a vote of 9 to 3, Alderman White also voting yea.

As amended, the ordinance was passed, in concurrence.

The several ordinances relating to the Committee on Claims, the Superintendent of Lamps, the Clerk of Committees, and the Mayor's Clerk, were considered.

Alderman Richards inquired why the office of Superintendent of Lamps, which had been growing in importance, should not be an elective office, like those of other departments. Unless there are special reasons, he believed the Superintendent should be elected instead of being appointed.

Alderman Bradlee stated that by statute the Mayor and Aldermen are authorized to make all necessary rules and regulations relative to the office.

Alderman Richards said he did not see any reason in what had been stated why the Superintendent should not be elected. The Mayor and Aldermen might make all rules and regulations relative to the office, but that would not affect the question of the election of the officer.

Alderman Bradlee stated that the ordinance was framed as advised by the City Solicitor.

The several ordinances were read twice and passed in concurrence.

REPORTS OF COMMITTEES.

Alderman James, from the Committee on Paving, to whom was referred the petition of the Directors of the Penitent Females' Refuge Society for abatement of assessment for sidewalk on Newland street, made a report that the edgestones were set on said Newland street, by the city on the petition of said directors and after they had agreed to pay for the same.

The committee therefore recommended that the petitioners have leave to withdraw. Read and accepted.

Alderman James, from the same Committee, to whom was referred the petition of W. E. Woodward and W. H. Piper, to be paid for damages caused by change of grade in Harrison avenue made a report that in 1859 the city of Boston settled with the former owners of the estate now held by the petitioners for "all claims and demands whatever, for, on account of, or in any way growing out of change of grade of Harrison avenue," and that the grade of said Harrison avenue, as then established by the Board of Aldermen, has not been altered. They therefore recommend that the petitioners have leave to withdraw. Accepted.

Alderman James, from the Committee on Paving, submitted the following communication:

The Committee on Paving respectfully report that an additional appropriation of two hundred thousand dollars will be required to meet the necessary expenses of that department for the remainder of the financial year.

| | |
|---|---|
| The appropriation of May, 1869, was.. | $600,000 00 |
| There has been expended up to the present time..... | 532,970 33 |
| Balance on hand..... | $67,029 67 |
| Work now in progress will cost..... | $58,000 00 |
| Work ordered by Board of Aldermen, not yet begun, will cost..... | 76,000 00 |
| Ordinary expenses of department to May 1, 1870..... .. | 108,000 00 |
| Grade damages in process of settlement ..... | 25,000 00 |
| | $267,000 00 |

| | |
|---|---|
| Deduct balance on hand..... | 67,029 67 |
| Amount required..... | $199,970 33 |

The demands made upon the department during the past year have been much larger than was anticipated, and it has been found impossible to do more than a fraction of the work called for by petitions referred to the Committee. There are now on the files of the department some fifty petitions on which no action has been taken, and which, though being perfectly reasonable, will have to be referred to the next City Government. Your Committee believe that nothing has been done which a wise economy would have neglected or postponed, and that it is necessary to complete the work already ordered by the Board of Aldermen. They therefore recommend that the Committee on Finance be authorized to provide the means to meet the required amount.

The communication was referred to the Committee on Finance.

Alderman James, from the Committee on Common and Squares, on the petition of Wm. Evans to be allowed to remove four trees from the sidewalk of Washington street, near Lenox street, reported that he be authorized to remove the trees at his own expense. Accepted.

Alderman White, from the Committee on Licenses, reported licenses to forty-five newsboys, one boy as a boot black-and one to sell confectionery. Accepted.

Alderman White reported in favor of licenses to Theodore Thomas to give a concert at Music Hall; to the Mercantile Library Association, to give dramatic and musical entertainments; to Horatio S. Eddy, to give exhibitions in psychological manifestations; also in favor of sundry persons, as victuallers, intelligence office keepers, and dealers in second hand articles; and leave to withdraw severally on petitions of James Coffey to be allowed to give a sparring exhibition; of Robert E. Jones to exhibit unnatural curiosities; and of Charles E. Pendall to keep an intelligence office. Severally accepted.

Alderman White, from the Committee on Public Instruction, to whom was referred the request of the School Committee, that additional accommodations be furnished for the increased number of pupils in the Girls' High and Normal School, made a report that it appears from a careful examination that sufficient accommodations can be furnished in the building at present occupied on Mason street to meet the wants of the school until the new building on Newton street is completed, Read and accepted.

Alderman Richards, from the Joint Standing Committee on Public Buildings, reported, that, having completed the Grammar Schoolhouse, in Ward Nine, they find that it will require an additional appropriation of $2500 to conclude the payments on the same. The extra expense was caused by changing the location of the privies, making an addition to the yard, and changing the grade of the same—expenditures which were not contemplated in the original estimates. The Auditor of Accounts is of the opinion that this amount can be spared from the reserved fund, and the committee therefore recommend the passage of the following order:

Ordered, That the Auditor of Accounts be authorized to transfer from the reserved fund, to the special appropriation for Grammar Schoolhouse, Ward Nine, the sum of $2500.

Alderman Richards stated that the additional expense incurred by the change was $3700, and but for that, the original appropriation would not have been exceeded.

The order was read twice and passed.

Alderman Richards, from the Committee on Faneuil Hall, reported in favor of granting the use of Faneuil Hall, on Thursday evening, Oct. 28, to James T. Lakin and others for a political meeting. Accepted.

Alderman Talbot, from the Committee on Claims, to whom was referred the petition of Rachel Warnock and sister to be compensated for expenses incurred in the sickness and death of their father, occasioned by an alleged defect in Washington street, in the year 1862, having considered the subject, made a report, recommending that the petitioners have leave to withdraw. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intentions to build. Accepted.

ORDERS OF NOTICE.

On the several petitions of Samuel B. Krogman, for leave to build a stable rear of 16 Copeland street; of Charles G. Bird, to build a stable on Copeland street, F. A. Schell, a stable on South street, and G. W. Johnson, a stable on Middle street; Nicholas Schmidt, Quincy street, near Warren street; George W. Decatur, Pynchon street. Hearing, Tuesday Nov. 2, 4 P. M.

On the proposed rebuilding of the common sewer in Appleton street, between Berkeley and Clarendon streets. Hearing, Tuesday, Nov. 2, 4 P. M.

On the proposed extending of the common sewer in Colony street. Hearing, Tuesday, Nov. 2, 4 P. M.

On the proposed construction of the common sewer in Federal street, south of Preble street. Hearing, Tuesday, Nov. 2, 4 P. M.

On the proposed widening of Eliot street, on its southerly side, from Washington street to Pleasant street. Hearing Monday, November 8, 4 P. M.

ORDERS PASSED.

On motion of Alderman Richards,

Ordered, That the Committee on Public Buildings be authorized to build a coal shed and make such other repairs as may be required, at Police Station House No. 7, at an expense not exceeding $1200, to be charged to the Appropriation for Public Buildings.

Ordered, That the Committee on Public Buildings on the part of this Board be authorized to make certain necessary repairs on the County Court House building, at a cost not exceeding $2500, which sum, together with amounts already expended on said building in this municipal year, does not exceed $5000—said sum to be charged to the county of Suffolk.

On motion of Alderman Pratt,

Ordered, That the Committee on Lamps, Bells and Clocks be authorized to place a clock in the tower of Christ Church, at an expense not exceeding $950, the expense to be charged to the appropriation for bells and clocks.

Ordered, That the Committee on Paving consider and report on the expediency of covering the stone pavement near the Eliot School in North Bennet street with concrete.

On motion of Alderman Seaver,

Ordered, That the Superintendent of Public Buildings be authorized to fit up the southwest basement of the Court House for the use of the central office detail of police, and that the same be charged to the appropriation for police.

On motion of Alderman James,

Ordered, That permission be and hereby is given to the Middlesex Railroad Company to lay down a temporary track in the street on the northerly side of the Fitchburg depot, from Causeway street to the Warren bridge, said track to be removed as soon as the repairs now being made on the Charles River Bridge shall have been completed.

Ordered, That notice be and hereby is given to the owners, abutters, builders and all persons interested on Tremont street, between Pleasant street and the Boston & Albany Railroad bridge, forthwith to remove all obstructions of whatever kind placed by them on said street, and in default thereof, the Superintendent of Streets is hereby authorized and directed to cause said obstructions to be removed at the expense of the owners thereof.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be and he is hereby directed to construct a common sewer in Sixth street, between L and M streets, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be and he is hereby directed to repair the common sewer in Bennet street, and report a schedule of the expense to this Board.

On motion of Alderman Baldwin,

Ordered, That there be allowed and paid to the several companies of the Volunteer Militia the amounts allowed to said companies by the certificate of the Adjutant General, dated Oct. 21, 1869, for camp duty Aug. 10-15, 1869, amounting in the whole to $29,815 50, to be charged to the appropriation for militia bounty.

On motion of Alderman Talbot,

Ordered, That there be paid to the heirs of Susannah Lambert the sum of $3336 for land taken and all damages occasioned, including grade damages, by the widening and grading of Purchase street, upon their estates, Nos. 84 and 86 therein,

by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to William A. Prescott the sum of $11,500 for land taken and damages occasioned his estates by the widening of High street, by a resolve of November 17, 1868, to be charged to the appropriation for Laying Out and Widening Streets.

Ordered, That there be paid to Frederick Jones the sum of $10,426 for land taken and damages occasioned—including grade damages—by the laying out and grading of Hartford street, upon his estates No. 5 Hartford place and Nos. 8, 9 and 10 Purchase place, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be purchased in the settlement of damages occasioned by the laying out and grading of Hartford street, of Wm. Boyle, his estates numbered 3 and 4 Hartford place, for the sums of $10,000 and $9000 respectively, and that the same be charged to the Fort Hill Improvement Loan.

Ordered, That in the settlement of damages occasioned by the widening and grading of Purchase street, there be purchased of Ann Desmond her estate numbered 134 on that street, for the sum of $7500, and that the same be charged to the Fort Hill Improvement loan.

Ordered, That there be paid to the following named persons the sum of $56 19, for sale of old materials, portions of their buildings projecting over the line of the extension of Broadway, viz: S. A. Way, $42 19; heirs of Edward Harney, $5; Alice Driscoll, $9; the same to be charged to the Broadway Extension Loan.

Ordered, That there be paid to James Power and Patrick H. Powers the sum of $190, the proceeds of sale of old materials in that portion of building purchased by the said Powers of Jeremiah Brown, projecting over the line of widening of Federal street, as established by a resolve of June 6, 1868, at the time of sale, to be charged to the Federal Street Loan.

Ordered, That there be paid to the parties below specified the sums severally set against their names, amounting in all to $1898 70, the same being the net proceeds of sale of old materials removed from their estates for the purpose of grading them to the new grade established for the Fort Hill territory, and for widening certain streets thereon, viz.: Nathaniel Brewer's heirs, 166 and 172 Purchase street, $80 48; J. P. Monk's heirs, 18 Washington square, $303 04; John Foster, Nos. 19, 18, 16 and 12 Washington avenue, and 5 Humphrey place, $402 47; Ann W. Vose, 13 Washington avenue, $52 08: John Hennessy, 11 Washington square, $85 23; Jos. H. Thayer's heirs, 9 Washington square, $52 08; S. K. Williams, No. 8 Washington square, $47 35; Edward Reynold's heirs, No. 5 Washington square, $591 87; Moses Kimball, 2—5 Wendell street, $284 10; the same to be charged to the Fort Hill Improvement Loan.

Ordered, That the betterments assessed upon the estates of Wm. A. Prescott and Willard Phillips on High street, for the widening of said street, be divided into three parts, to be collected with their taxes according to the provisions of the betterment law.

*Resolved*, That the safety and convenience of the inhabitants require that Worcester street should be laid out between the Boston Water Power Company's old line and Columbus avenue, at no expense.

*Resolved*, That the safety and convenience of the inhabitants require that West Chester avenue, between the Boston Water Power Company's old line and Columbus avenue, should be laid out, at no expense.

*Resolved*, That the safety and convenience of the inhabitants require that Columbus avenue should be laid out from Northampton to Ferdinand streets, at no expense.

*Resolved*, That the safety and convenience of the inhabitants require that West Springfield street should be laid out between the Boston Water Power Company's old line and Columbus avenue, at no expense.

*Resolved*, That the safety and convenience of the inhabitants require that Ferdinand street should be laid out from Chandler street to Columbus avenue, at no expense.

An order was passed to meet the jail requisition, amounting to the sum of $1865 89.

An order was also passed to pay the bills of certain persons directly or indirectly connected with the City Government.

Alderman Talbot moved a reconsideration of the vote referring to the Committee on Claims the petition of Thomas Richardson.

The petition was read, and Alderman Talbot said it was true the Committee had been unable to agree with the petitioner, and that he had had other matters in dispute with the city, but the Committee had endeavored to do justice with him.

The motion to reconsider the reference was carried, and on motion of Alderman Bradlee it was voted that the petitioner have leave to withdraw his petition.

Adjourned to Tuesday, Nov. 2, 4 P. M.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## OCTOBER 28, 1869.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The report, leave to withdraw, on the petition of Rachael Warnock and sister, for compensation for injuries to their father, by a fall on the street, was accepted in concurrence.

The report, on the request of the School Committee that sufficient accommodations can be furnished for the Girls' High and Normal School at the house on Mason street until the one on Newton street is completed, was also accepted in concurrence.

The order to pay bills of November draft was read twice and passed.

The following orders were severally read once:

Order to purchase the estate of Ann Desmond in settlement of damages for the widening of Purchase street, at an expense of seven thousand five hundred dollars.

Order to purchase two estates of William Boyle in settlement of damages for the widening of Hartford place, at the sums of ten and nine thousand dollars.

Order authorizing the building of a coal shed and making of repairs at Police Station No. 7, at a cost of not more than twelve hundred dollars.

Order authorizing twenty-five hundred dollars to be transferred from the Reserved Fund to the Special Appropriation for Grammar Schoolhouse, Ward Nine.

The resolve and order for the widening of Bedford street at the corner of Washington street, and at the corner of Chauncy street were read once, and referred to the Committee on Streets on the part of the Common Council.

The amendment to the Ordinance on Streets, by striking out the clause relating to show-boards, show-bills, etc., was concurred in.

The request of the Committee on Paving, for an additional appropriation of two hundred thousand dollars, to meet expenses for the remainder of the financial year (Printed City Doc. No. 100, 1869), being on its reference in concurrence to the Committee on Finance,

Mr. Flynn of Ward Seven moved its reference to the Committee on Streets of the Common Council.

Mr. Ingalls of Ward Twelve thought it better to refer the matter to the Committee on Finance first, for in the absence of funds for the purpose the Committee might not provide for an additional appropriation. Should they do so, then it might be referred to the Committee on Streets.

Mr. Flynn said his object was to guard against a reference to the Committee on Finance. He would have it referred first to the Committee on Streets, whose report might make it unnecessary to refer it to the Committee on Finance.

Mr. Wadsworth of Ward Four hoped it would be referred to the Committee on Streets, by which means the Committee on Finance might be saved the trouble of considering it.

The motion to refer to the Committee on Streets of the Council, was carried.

UNFINISHED BUSINESS.

The order to purchase the estate of Catharine Ray, for eight thousand five hundred dollars, in settlement of damages for the widening and grading of Purchase street, was read a second time and passed.

The order discharging Commissioners on Church Street District, and authorizing Committee on said District to exercise all the powers of said Commissioners, and appoint a person to take charge of the unfinished work (City Doc. No. 95, 1869), coming up on its second reading,

Mr. Nelson of Ward Nine stated that at first he was disposed to vote for the order, but on more reflection, and from what he had since learned, he hoped it would not pass. He had understood that the two Commissioners whom it was designed to discharge felt aggrieved at the proposed action. They had done their work well and faithfully, and would resign by the end of next month. The action contemplated by the City Council bore too much of a summary character.

Mr. Wadsworth of Ward Four could not see how the Commissioners should feel aggrieved, and read from their report, to show that upon their own statement their services were not needed, and that the proposed action was on their recommendation.

Mr. Frost of Ward Nine stated that quite an amount of work remained to be done, of a particular character, which could best be performed under the supervision of the Commissioners. He would like to know if it were intended to retain any of the present Commissioners; if it were, he could see no harm in discharging the remainder of the Commissioners.

Mr. Wadsworth stated that it was the intention to retain the chairman of the Commissioners, who better understood the business than any one else, and could attend to it without the aid of the other Commissioners.

Mr. Jenks of Ward Three did not understand that the Commissioners, as stated, recommended the discharge of the commission. He read a note from one of the Commissioners to the effect that a portion of their report had been withheld by the Committee. As an act of justice to them their report should be printed and circulated before action is taken in the matter. Much remains yet to be done, and the services of the Commissioners are of as much importance now as when they were appointed originally. The order was refused a second reading, by a vote of 14 to 26.

The order instructing the Committee on State Aid to obtain the opinion of the City Solicitor in relation to the order referred to said Committee at the last meeting, came up for consideration.

Mr Keith of Ward Fifteen stated that as the order to which it related had been laid on the table by the other branch, this order could be of no use. He therefore moved that it be laid on the table. Carried.

PETITION PRESENTED AND REFERRED.

W. G. Train, to be paid for damages sustained by his horse from an alleged defect in Winthrop street. Referred to the Committee on Claims.

IRON FENCE ON COMMONWEALTH AVENUE.

Mr. Ingalls of Ward Twelve moved a reconsideration of the vote of the last meeting of the Council rejecting the order providing for the building of an iron fence around the promenade on Commonwealth avenue, between Berkeley and Clarendon streets.

Mr. Ingalls stated that at the time the order was acted upon he did not know much about the matter. Upon an examination of the park, at the request of a resident, he was satisfied that the fence should be erected, not only to protect the grass and trees, but to secure uniformity, the portion of the promenade between Arlington and Berkley streets having been fenced. No expense has been incurred by the city in relation to this portion of the street, and the abutters believe they are entitled to this improvement, a large amount of taxes being paid by them.

Mr. Keith of Ward Fifteen said the gentleman from Ward Twelve had only anticipated him in the motion which he had made. Since the last meeting of the Council he had received a communication from a resident in that vicinity, which he would read as the reason in favor of a reconsideration and a passage of the order. The writer states that this was a measure which the residents there had been for two years past trying to bring about. The Aldermen had done nothing for the improvement of the street until now, and the petition for the inclosure was signed by every abutter The proposed fence was a matter of necessity to protect the park. The suggestion that there was no need of a fence because there could be no danger from cattle, was not true. Repeatedly there had been droves of cattle through those streets and on the park, and men and women had ridden through the park on horseback, tearing up the turf. He had been obliged to remonstrate personally with such persons relative to the injuries to the grounds.

Last winter the boys made a skating park of it, injuring the trees, and he supposed they would do so again the coming winter. A second reason for the inclosure, was that it was needed for uniformity. There is already a fence around the promenade between Arlington and Berkeley streets. And so the letter went on, he said, for a page and a half more of manuscript. For good and suffi-

cient reasons, he hoped the reconsideration would prevail, and that the order would pass.

The reconsideration was carried, and the order was passed, by a vote of 43 yeas, 1 nay.

The order is as follows:

Ordered, That the Committee on Common and Squares be authorized to contract for building an iron fence around the promenade on Commonwealth avenue, between Berkeley street and Clarendon street, and reset the granite base now laid for that purpose, at an expense not exceeding $5500, said sum to be transferred from the Reserved Fund.

Mr. Wadsworth of Ward Four moved a reconsideration of the vote rejecting the order discharging the Commissioners on the Church Street District. He said he wished to make the motion and that it be laid on the table, so that it may be reached at some future time.

Mr. Nelson of Ward Nine, rose to a question of order, that the gentleman did not vote in the majority.

The Chair stated that it was presumed, from want of evidence to the contrary, that the gentleman voted with the majority.

Mr. Wadsworth said no harm could be done by making the motion, and leaving it in a position to be acted upon hereafter. He would, however, withdraw his motion.

Mr. Richards of Ward Eight renewed the motion.

Mr. Wadsworth moved to lay the motion on the table. Lost, 17 to 22.

The question was taken on the motion to reconsider, which was lost.

ORDERS.

Mr. Ryan of Ward Thirteen offered the following order:

Ordered, That the Committee on Public Buildings consider and report upon the expediency of selling at auction or otherwise the lot of land owned by the city on the corner of Palmer and Winslow streets.

The order was read and referred to the Committee on Public Buildings.

Mr. Osborn of Ward Six offered the following:

Ordered, That the Committee on Public Buildings be authorized to sell the buildings on the lot of land owned by the city between Yeoman street and Binney place.

Ordered, That the Committee on Public Buildings be authorized to procure plans and estimates for a Primary Schoolhouse, to be located on the lot of land owned by the city on Yeoman street, and report the same to the City Council; said plans to be satisfactory to the Committee on Public Instruction.

The orders were read once and laid over.

Mr. Nelson of Ward Nine offered the following:

Ordered, That there be allowed and paid to the Warden, Clerk and Inspectors of each ward the sum of five dollars for each day's service at elections, the number of days' service to which each officer is entitled to be certified to the Auditor by the Warden.

Mr. Nelson, in support of the order, said he had offered this order to secure the attendance at elections of the ward officers chosen at the annual contests. It was frequently the case that volunteers, inexperienced men, had to be chosen on election days, and, as a consequence, the returns became very much mixed. The city of Cambridge had passed a similar order, and this city could as well afford the expense as Cambridge could. He believed it would work well, and had conferred with others on the subject, familiar with the mode of conducting elections, and they agreed in opinion.

The order was read twice and passed.

SITE FOR A LUNATIC HOSPITAL.

Mr. Woolley of Ward One presented the following report:

The Joint Standing Committee on Public Institutions, who were requested to take such steps as they might deem necessary to ascertain whether a more eligible location can be obtained than the one heretofore appropriated in Winthrop, on which to erect a new hospital for the insane, beg leave to submit the following report:

In accordance with the request of the City Council, the Committee advertised for proposals for a site suitable for such an institution, and received quite a number of propositions to sell land in large and small quantities in Boston and its immediate vicinity. Several of the localities offered were visited and carefully examined; but the consideration of the Committee was finally confined to two localities, as possessing advantages for such a purpose superior to any of the others.

The "Codman estate," so called, lying between Washington street and Forest Hill avenue, in Dorchester, contains, with the "Mansion house lot," about sixty-one acres. The distance from City Hall is about five and a half miles. The situation of this estate, both as regards its surroundings and the means of access to it from the central portion of the city, is quite all that could be desired. The "Mansion house lot," containing about six and a half acres, is under a high state of cultivation. The buildings on it consist of a mansion house in good repair, a barn and summer house. There are a large number of magnificent shade trees of various kinds, a fine orchard, a garden and a lawn. From several positions on the estate views are obtained of the harbor, the Blue Hills, and the finest portions of the country in the vicinity of Boston.

The estate owned by the heirs of John Codman covers an area of about fifty-four acres. It is offered to the city for the average price of $1400 per acre. The "Mansion House lot," with all the buildings and other fixtures thereon, is offered for the round sum of $25,000—making the total cost of about sixty-one acres, $100,000.

Breed's Island, containing about 506 acres of upland and meadow, and 227 acres of flats, situated between East Boston and Winthrop, and within the present limits of the city, is offered for $250,000. The distance from City Hall is about three miles.

The representative of the owners, in his communication to the Committee, states that "it is easily accessible both by land and by water, but is, nevertheless, completely isolated and secured forever from the intrusion of habitation or business, which is an advantage that no other site within the city limits can boast. It has a pleasingly diversified surface, rising at one point into a lofty eminence, from which is visible a superb view of the surrounding country and harbor. Its air is salubrious, its soil is fertile, and its abundant crops and extensive growth of fruit and shade trees, demonstrate its adaptedness to remunerative cultivation. There is upon the island a gravel bank of superior quality, containing at least 125,000 squares. It is easily accessible, and its removal will not affect in any way the site of the Lunatic Hospital, or impair the value of the property for the use to which the city would put it. I understand that this gravel is now taken by the city at a cost of $1 25 per square, which would make it worth at least $156,250, thus reducing the cost to $93,750, say $185 per acre for meadow and upland."

The committee are divided in opinion as to the expediency of purchasing the Codman estate, or Breed's Island, or retaining the present location in Winthrop.

A portion of the committee are in favor of the Codman estate, as being in all respects the most suitable location. The first cost of this property is apparently large; but they believe that when the desirableness of the location and the present condition of the land, which will require but a small outlay to make it suitable for the purposes of such an institution, are considered, it will appear as the most economical investment for the city.

In regard to the very great and increasing necessity for a new hospital for the insane, the committee are unanimous, and they believe that the necessity is so fully understood and appreciated by the members of the City Council, that it is unnecessary to add anything upon that part of the subject here.

The members of the committee in favor of the purchase of the Codman estate, would respectfully recommend the passage of the accompanying orders. For the Committee,

BENJAMIN JAMES, Chairman.

Ordered, That the Joint Standing Committee on Public Institutions be and they are hereby authorized to purchase the estates owned by Charlotte R. Cochrane and the heirs of John Codman, in Dorchester, containing sixty-one acres, more or less, and also the buildings and other fixtures thereon, for a sum not exceeding $100,000—said land and buildings to be used for the purposes of a hospital for the insane.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $100,000, to be applied to the purchase of a site for an insane asylum in Dorchester.

The report was laid on the table and ordered to be printed. Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, NOVEMBER 2, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at four o'clock Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Constables—A. L. Knowles, John Huston, Burnham Royce and John B. Neale.

Inspector of Petroleum—Nathaniel Cleaves.

PETITIONS PRESENTED AND REFERRED.

Patrick Carney for abatement of taxes assessed on his estate in Hanover street. Referred to Joint Committee on the Assessors' Department.

C. H. Thwing and others, for use of Faneuil Hall November 16, for a public meeting. Referred to the Committee on Faneuil Hall.

F. O'Brien, that lamps be placed and lighted in Linden park. Referred to the Committee on Lamps.

Henry A. Thomas, to be paid for land taken in 1853 to widen Bedford street at the corner of Washington street, from the Nightingale estate.

Geo. P. French and others, that Sawyer street be laid out as a public highway.

Severally referred to the Committee on Streets.

Wm. Hendry, for removal of a tree on the corner of Prescott place and Washington street.

Referred to the Committee on Common and Squares

Howard A. Doe, for a sewer in Eighth street, near D street. Referred to the Committee on Sewers.

C. Wright & Co., for leave to erect a stable for three horses on Norfolk avenue, near Hampden street.

Edwin M. Watson, for leave to construct a stable near Walnut park.

D. P. Nichols, for leave to build a stable for one horse in rear of Alpine street.

Severally referred to the Committee on Health.

H. W. Eames & Co. and others, that Tremont street be repaved from School street to Montgomery place.

Smith & Porter, to be paid for damages caused by change of grade in Spring lane.

James Dolan, to be paid for injuries caused to his estate No. 99 Hampden street, by change of grade.

Henry D. Hyde and others, that cesspools be constructed and flagstones laid in Columbus avenue.

D M. Parker, that flagstones may be placed across Boylston street opposite his house, No. 132.

Severally referred to the Committee on Paving.

John Pierce, to be paid for injuries done to his wagon caused by an alleged defect in Commercial street. Referred to the Joint Committee on Claims.

A petition was presented from a committee of citizens of Ward Six, stating that a project is pending before a committee of the House of Representatives for filling the channel of Charler river, and reducing that river to a narrow drain or canal in the city of Cambridge. They believe this measure will be injurious to the best interests of this city, detrimental to its health and property, and respectfully ask that measures be taken to oppose the same.

On this petition, on motion of Alderman Bradlee, it was

Ordered, That the Joint Special Committee upon Legislative Matters, in consultation with His Honor the Mayor, be authorized to appear in behalf of this city before the Special Committee of the House of Representatives on the subject of "occupation and improvement of flats," &c., and protect what they deem to be the interests of the city in the premises.

NOTICES OF INTENTION TO BUILD.

P. McAleer, corner of Church and Melrose streets; Jarvis W. Dean, George street, between Magazine and Langdon streets; G. Wright & Co., Norfolk avenue, beyond Hampden street; James Gallagher, corner of Cottage and Sumner streets; Ira A. Medbury, Gold street, between F and Dorchester streets; Patrick Murray, Second street, between K and L streets; D. P. Nichols, 59 Alpine street; J. B. Carpenter, corner of Ninth and Lark streets; C. Tilden, Jr., 116 Zeigler street; J. W. Edgerley, Winchester street, near Edgerly place; T. K. Daunt, corner of Dorchester and Vinton streets; James McNeil, Columbus avenue, between Clarendon and Dartmouth streets; A. Mitchell, Bowen street, between Dorchester and F streets; M. H. Leonard, near junction of Chelsea and Bennington streets; B. F. Dewing, Avon place; C. E. Draper, Bowen street, near Walnut avenue; S. S. Perkins, O street, from Sixth to Seventh streets; Casper Schafer, Longwood avenue; Robert Moore, corner of Endicott and Cross streets; S. H. L. Pierce, Dennis street, near Grove Hall avenue; J. J. Driscoll, Sixth street, between C and D streets; T. K. Daunt, Dorchester street, near Vinton street. Severally referred to the Committee on Streets.

REPORT OF CITY REGISTRAR.

Receipts for the quarter ending Oct. 31 were as follows:

There were issued 1047 certificates of intentions of marriage; receipts for the same. $523 50, which sum has been paid into the City Treasury. Read and sent down.

REPORT OF SUPERINTENDENT OF MARKET.

The report of Superintendent of Faneuil Hall Market gives the following receipts for the quarter ending Oct. 31:

| | |
|---|---|
| Cash received for rent of stalls | $10,396 50 |
| Cash received for rent of cellars | 5,280 00 |
| Cash received for rent of permanent outside stands | 498 75 |
| Fees received for weighing at market scales | 81 00 |
| Cash received for rent of stalls in new market | 3,030 00 |
| Cash received for rent of cellars in new market | 1,462 50 |
| | $20,748 75 |

The whole amount of which was paid into the City Treasury. Ordered to be placed on file.

REPORT OF OVERSEERS OF POOR.

The report for the quarter ending Oct. 30, 1869, was as follows:

| | |
|---|---|
| Cash on hand, Aug. 1, 1869 | $1 474 32 |
| Draft on City Treasurer | 10,000 00 |
| Cash from Cities and Towns | 1,100 82 |
| Cash from occupants of offices in Charity Building for heating, &c | 330 00 |
| Cash from safe formerly used by Overseers of Poor, Roxbury | 175 00 |
| Cash from burial of a pauper | 7 00 |
| | $11,612 82 |

The expenditures were as follows:

| | |
|---|---|
| Paid for burials | $929 62 |
| Paid cities and towns and State for relief of Boston poor | 974 05 |
| Paid expenses City Temporary Home (bills to City Auditor) | |
| Paid pensions and grants at office | 3,183 00 |
| Paid immediate relief of persons having no settlement | 121 00 |
| Paid for groceries | 2,044 00 |
| Paid salary of Secretary | 550 00 |
| Paid salary of bookkeeper | 375 00 |
| Paid salaries of clerks | 392 50 |
| Paid salaries of visitors | 900 00 |
| Paid office expenses, including new safe | 258 03 |
| Paid transportation | 40 87 |
| Paid Engineer's salary ($324 99); expenses ($3 25); Janitor's salary ($276); expenses ($13 15) | 617 39 |
| Paid account of Woburn, to be refunded | 53 07 |
| | $10,438 53 |
| Cash balance Oct. 30, 1869 | 2,648 61 |
| Total | $13,087 14 |

Read and sent down.

HEARINGS ON ORDERS OF NOTICE.

Hearings on the orders of notice on the several petitions of S. B. Krogman, for leave to erect a stable at No. 16 Copeland street; of Charles G. Bird, a stable on Copeland street; F. A. Schell, a stable on Smith street; G. W. Johnson, a stable on Middle street; Nicholas Schmidt, a stable on

Quincy street, near Warren street; George W. Decatur, a stable on Pynchon street—were severally taken up.

Charles Williams objected to the proposed stables by Mr. Krogman and Mr. Bird, for the reason that the space was confined; there was no drainage; it would be within 29 feet of his kitchen window; if a cesspool was constructed it would drain into his cellar; and further, that it would be an injury to other property as well as his own.

Levi W. Livermore objected to the stable, already built, on account of his comfort and interest, although not immediately near it. The house adjoining his was back of the stable, had been for sale and $5000 had been offered, but the person offering it would not now take it at any price, and he did not believe $4000 could be obtained for it. He was ready to give bonds that he would sell his own house at twenty-five per cent. less than before the stable was erected. The neighborhood was a good one, but if these stables were allowed, the property would change hands and be occupied by a different class of people at a less taxable value.

In reply to Alderman Van Nostrand, Mr. Livermore said there was one other stable on the street, very remote, owned by John M. Way, the distance making it less objectionable than those of Messrs. Krogman and Bird.

Mr. Ryan, the owner of a house which had been for sale, stated that he could not get $1000 of the worth of the house, on account of the stable in front of it.

The report was recommitted.

A hearing took place on the proposed laying out of Linwood street.

Alvah Kittredge favored the laying out of the street, with the statement that houses had been built on the street in the expectation of its acceptance, and of a supply of water and drainage to the abutters. The taxes had been assessed, as he supposed, with the same view.

D. C. M. Rupp objected to some features of the plan of widening, that it would lessen the circle of inclosed land in front of his house, and require the removal of four large trees. A suggestion of Mr. Harris, to retain the trees, by the gift of a small lot of land by Mr. Kittredge, he thought would be an improvement on the plan.

J. R. Hall stated that he had the same objections to make which were made by Mr. Rupp, and he concurred generally in his statement.

Alderman Talbot stated that the street was on high and uneven ground, and if accepted it would not be proper to do so until the grade was changed, and the city released from grade damages. In relation to the inclosed circle of land which had been referred to, the change of grade would require most of the circle to get easily up the hill. After the signers had been obtained for the release of grade damages, the subject was referred to the Superintendent of Streets, who reported that it would cost a large sum of money to change the grade of the street—a larger sum than was supposed. The street will never be used for public travel except to a limited extent. To lay it out as streets are laid out elsewhere, the policy has been to require the owners to give the fee of the streets and release the city from grade damages. In this case, after the order of notice was issued, it was hoped that all of the abutters would sign the release. The benefit would all be to the abutting property, and when the committee have done all they can, and the parties don't want the improvements made, the city cannot be expected to proceed any further.

Mr. Rupp said that Mr. Kittredge was willing to make all the arrangements necessary to meet the objections which had been made, but had been informed by his lawyer that he could not convey the strip of land legally, because he had sold other lots subject to the laying out of the street on the present plan of laying out. The abutters were willing to release the city from grade damages, and if the power is granted to Mr. Kittredge, he will do as it is desired.

Mr. Kittredge further stated that Mr. Flint was the only individual who would be at all damaged by the change of grade. He was ready to sign the release for $350. The changed grade will require three more steps to reach his house and make it necessary to cut into his piazza. That was all the payment of damages which would be required.

Alderman Talbot said the city, by the discontinuance of any portion of a public way, would be involved in the same difficulties which individuals would be subject to. The action proposed would only change the difficulty, but not remove it. The abutters should agree among themselves in this matter. If settled among themselves the expense would not be large to each of them, while they were to derive the benefit mainly. There never would be much travel up the hill, and it would cost $5000 to grade it.

Wm. Gaston said he was surprised to hear such a statement of the cost, for he believed he was quite familiar with the street. He hoped the report would be recommitted, that further information and hearing would be had on the subject.

Alderman Talbot said he might be mistaken, in confounding this with some other street, but he believed he was right in his estimates of the cost.

Mr. Gaston stated that this was an important thoroughfare, and with the fact that no one but Mr. Flint could receive any damage, but that every one would be benefited, the street should be accepted. He thought the expense was over-estimated.

Alderman Talbot said he obtained his information from the Superintendent of Streets, whose estimate of cost was $6000. The difficulty in such cases was to satisfy parties. They wish streets to be accepted, and when the conditions are stated, they are not always willing to comply with them. He trusted, however, that the subject had been so ventilated that the parties would understand it thoroughly, and make such an agreement that the street can be laid out. This street would be more expensive in its acceptance than any which had been presented to the Committee the present year.

Mr. Gaston said if agreeable to the committee he should like to be heard before them on the question of expense. He believed he could show it would be but little.

The report was recommitted.

The hearing on the proposed laying out of Highland avenue was taken up.

Mr. Kittredge stated that the release had been signed by every individual but one, with the exception of owners on the easterly side, where there would be no damage, that side of the street not being improved. On the westerly side, one person would be obliged to take down his wall, and all but him had signed the release.

Mr. Perkins said he was the only person who would be materially injured. By the proposed plan, he would be obliged to go down three feet lower than his wall, and although it was greater than he anticipated, he was willing to agree to the change and had signed the release. It was important to drainage that the street should be accepted.

J. R. Hall appeared in behalf of Miss Browning, who objected to any change or expense, but might agree to it if a triangular piece of land adjoining her estate should be deeded to her.

Mr. Kittredge was of opinion that the acceptance of the street would be a benefit to Miss Browning.

Mr. Lee, in behalf of Mrs. Goddard, stated that she had but recently received a notice of the proposed improvement. She did not object to improvements of the street, but wanted to see if it would be for her interest, before consenting to it.

The report was recommitted.

The hearing on the several orders of notice, on the proposed construction of a common sewer in Federal street, south of Preble street; on the proposed construction of a sewer in Colony street, and onthe proposed rebuilding of the sewer in Appleton street, were taken up. No person appearing to object, in either case, the reports were recommitted.

PAPERS FROM THE COMMON COUNCIL.

The petition of W. G. Train, to be paid for damage caused to his horse by an alleged defect in Winthrop street, was referred to Committee on Claims, in concurrence.

The order to sell at auction the lot of land on Palmer and Winslow streets was referred to Committee on Public Buildings, in concurrence.

The order to pay each Ward officer $5 per diem, for services on election days was read twice and passed, in concurrence.

REPORTS OF COMMITTEES.

Alderman James, from the Joint Standing Committee on Public Lands, to whom was referred the order of the City Council, requesting the Committee on Public Lands to ascertain upon what terms and conditions the city can purchase Rainsford Island from the State, reported as follows:

That the Executive Council of the State have voted to fix the price of Rainsford Island, if purchased by the city of Boston, at the sum of $50,000. Read and accepted.

Alderman White, from the Committee on Licences, reported in favor of licenses severally to Thomas Powers and others to give a dramatic entertainment at Mercantile Hall, Nov. 24; the Harvard Musical Association, to give concerts at Music Hall; Theodore Thomas to give concerts at Music Hall, Nov. 5, 6; James Griffin and others to give an entertainment at Olympic Theatre, Nov. 6; De Cordova to give exhibitions and lectures at Tremont Temple. Severally accepted.

Alderman White also reported in favor of licenses to five newsboys, three bootblacks, and one boy to sell elastics. Accepted.

Alderman White made a report revoking the license of John H. Sutton, a newsboy, and reported in favor of licenses to sundry persons as dealers in second hand articles, a pawnbroker, and to keep an intelligence office. Severally accepted.

Alderman White, from the Committee on Health, reported favorably on the petition of Thos. Milligan for leave to build a stable on Alger street. Accepted.

Alderman Talbot, from the Committee on Laying Out and Widening Streets, on the orders of notice relative to widening of Cambridge street, at No. 8; on the order of notice relative to the laying out of Humphrey place; on the order relative to widening Worcester street, on the westerly corner of Washington street; on the petition of J. P. Mendum and others, that Knowlton street be laid out as a public highway; and on the widening of Eliot street near the corner of Tremont street, (heirs of Jonathan Patten) reported severally that no further action is necessary. Accepted.

Alderman Talbot, from the same committee, reported that no action is necessary on the remonstrance of George C. Beckwith, against the extension of Hartford place; and no action necessary on sundry notices of intention to build. Severally accepted.

Alderman Talbot also reported inexpedient on the petitions of Cyrus Wakefield and 93 others, and of Alvin Adams and 52 others, to extend Devonshire street during the present municipal year; and on petition of Mary E. Shute for compensation for damages to estate and building on Oliver street, by change of grade, that no action is necessary, as by statute the abutters are obliged to take the award of the Board of Aldermen. Severally accepted.

Alderman Bradlee, from the Committee on Ordinances, reported an ordinance to regulate the posting of placards, notices and bills.

Alderman Bradlee stated that the only change from the old ordinance, which prohibited the posting of bills on the property of others without their consent, was a provision to prevent the posting of bills on sidewalks, curb-stones and trees.

The ordinance was read twice and passed.

EXTENSION OF WASHINGTON AND PORTLAND STREETS.

Orders of notice were issued on the proposed extension of Washington street through Cornhill, Brattle square, Elm street, and across Hanover street to Haymarket square. Hearing Monday, Nov. 15, 4 o'clock P. M.

An order of notice was also adopted on the proposed extension of Portland street to the proposed extension of Washington street. Hearing, Monday, Nov. 15, 4 o'clock P. M.

ORDERS OF NOTICE.

On the proposed construction of a sewer in Chandler street, from Berkeley to Clarendon streets. Hearing Monday next, Nov. 8, 4 P. M.

On the proposed construction of a sewer in Kendall street. Hearing Monday, Nov. 8, 4 P. M.

On the proposed laying out of Clifford street, between Warren street and Grove Hall avenue. Hearing Monday, Nov. 15, 4 P. M.

On the proposed assessment of betterments for the widening of Federal street. Hearing Monday, Nov. 15, 4 P. M.

On the proposed widening of Matthews street on its north side, near Shoe and Leather square. Hearing Monday, Nov. 15, 4 P. M.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the Committee on Health be and they are hereby empowered to advertise for proposals to purchase the house offal collected by city teams in the city of Boston (Ward 1 excepted for the term of three years from Jan. 1, 1870, and to report to this Board a contract or contracts for their approval.

On motion of Alderman James,

Ordered, That there be paid to Blair, Proctor & Skinner the sum of $3819 71, in full, for work done in raising the building belonging to the Meredith estate on the corner of Tremont and Eliot streets to the new grade of said streets, in fulfilment of an agreement made with the trustees of the Meredith estate for settlement for grade damages to said estate, the same to be charged to the appropriation for Tremont street.

On motion of Alderman Baldwin,

Ordered, That there be allowed and paid to the several companies and the band of the Seventh Infantry the sums certified to be due said companies and band by the Adjutant General Oct. 28, 1869, for camp duty in August last—the same amounting to $5729—to be charged to the appropriation for military bounty.

On motion of Alderman Fairbanks,

Ordered, That the sewer tax of $18 71 for a sewer in Cedar street be abated from Hannah Dudley and assessed upon Thomas Gannon; that the sum of $65 18 be abated from the assessment of J. M. Roberts and $25 41 from the assessment of Henry L. Richardson's heirs, on account of over-estimates of land on Purchase street.

Ordered, That the Superintendent of Sewers be and he is hereby directed to construct a common sewer in Appleton street, between Berkeley and Clarendon streets, and report a schedule of the expense thereof to this Board, according to law.

Ordered, That the Superintendent of Sewers be and he is hereby directed to construct a common sewer in Federal street, south of Preble street, and report a schedule of the expense to this Board.

Ordered, That the Superintendent of Sewers be and he is hereby directed to construct a common sewer in Colony street, and report a schedule of the expense to this Board.

On motion of Alderman Talbot,

Ordered, That there be paid to Samuel H. Russell and John G. Palfrey, trustees, $3000 for land taken and damages occasioned by the laying out of Atlantic avenue, under resolve of December 18, 1868, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to Warren W. Page $800, for land taken and damages occasioned by the widening of Pleasant street, under resolve of Oct. 26, 1869, to be charged to the Tremont Street Loan.

Ordered, That there be paid to Maurice O'Connell $931 for land taken from him and all damages, including grade damages, occasioned to him by the laying out and grading of Sturgis street, under resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Mrs. Margaret Bralley the sum of $3405 02 for land taken and damages occasioned by the widening and grading of Oliver street,—$2567 48 being the award of the Board of Aldermen, Oct. 9, 1865; $643 99 being the interest at 6 per cent., and the balance, $193 55, being the proceeds of the sale of old building materials, the same to be charged to the Oliver Street Loan.

Ordered, That there be paid to Samuel S. Green and Mary Ilsley, wife of W N. Ilsley, $5348, for land taken and damages occasioned (including grade damages) to their estate, Nos. 91 and 93 Purchase street, by the widening and grading of said street, under resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Mrs. Margaret Bralley the sum of $4375, for land taken and damages (including grade damages) by the laying out and grading of Sturgis sreet, under resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Peter Parker and C. F. Shimmin, trustees, $8000 for land taken and damages occasioned by the laying out of Atlantic avenue, under resolve of Dec. 18, 1868, to be charged to the Atlantic Avenue Loan.

Ordered, That there be purchased in the settlement of damages occasioned by the laying out and grading of Sturgis street, of the heirs of Sarah Holmes, their estate at the corner of Oliver and Sturgis streets, for $18,000, and that the same be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Joshua B. Fowle $1278 45, the net proceeds of the sale of old materials on his estates Nos. 148 and 150 Purchase street, removed by the city for the widening and

grading of Purchase street, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Emma and Robert Burr, executors under the will of Robert Burr, and Wm. Hammond, lessee, $14,500, for land taken and damages occasioned their estate by the widening of Hanover street, under resolve of December 31, 1868, to be charged to the Hanover Street Loan.

Ordered, That there be paid to B. F. Edmands and J. J. Rayner, trustees, $29,842 46 for land taken and all damages occasioned to their estate by the widening of Hanover street, between Court and Elm streets, under resolve of Dec. 31, 1868, to be charged to the Hanover Street Loan.

Ordered, That there be paid to the heirs of Lydia Blanchard $10,750, for land taken and all damages occasioned by the widening of Hanover street, under resolve of Dec. 31, 1868, to be charged to the Hanover Street Loan.

Ordered, That there be paid to Henry Flanders $4500 for land taken and damages occasioned the estate of Elmira Rollins, on High street, under resolve of Nov. 17, 1868, the said Flanders having purchased the estate of said Rollins subsequent to the passage of the resolve of widening, to be charged te the appropriation for laying out and widening streets.

Ordered, That there be paid to Samuel Weld and others $2384 for land taken and damages to his estate by the laying out of Copeland street, under resolve of June 15, 1869, to be charged to the appropriation for laying out and widening streets.

Ordered, That Chandler street be laid out as a public street, from Berkeley street to Columbus avenue, at no expense.

Ordered, That Woodward street be extended and laid out as a public street, by taking 15,505 square feet of land from persons unknown, at no expense, and 4496 feet of land from James L. Miller, at an expense of $2248.

Ordered, That there be purchased in the settlement of damages occasioned by the widening and grading of Purchase street, of Daniel Sheeban, his estate numbered 146, for the sum of $7000, and that the same be charged to the Fort Hill Improvement Loan.

On motion of Alderman Fairbanks, it was ordered that when the Board adjourn, it adjourn to meet on Thursday, at 4 o'clock P. M.

Aldermen Fairbanks and Van Nostrand were appointed a committee to examine votes.

Adjourned to Thursday, 4 P. M.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## NOVEMBER 4, 1869.

An adjourned meeting of the Board of Aldermen was held this afternoon, at 4 o'clock, Mayor Shurtleff presiding.

PETITIONS PRESENTED AND REFERRED.

John F. Newton, that the city would defend a suit brought against him for the removal of a tree under the direction of the Mayor and Aldermen of Roxbury. Referred to the Committee on Claims, with full powers.

C. E. Draper, for leave to build a stable for two horses on Bower street, near Walnut avenue. Referred to the Committee on Health.

Ann J. Blanchard, for abatement of a sewer assessment in Bartlett street. Referred to the Committee on Sewers.

John M. Mullin and others, for a cesspool at the corner of Harrison avenue and Pine street. Referred to the Committee on Paving.

RETURN OF VOTES.

Alderman Fairbanks, from the Committee appointed to examine the returns of votes cast on the 2d inst. in the several wards of the city for State officers, made a report in which they state that they find said returns appear to be properly made, and the results are carefully recorded in the book kept for that purpose, and they recommend that the usual certificates be forwarded to the Secretary of the Commonwealth, as provided by law.

The committee would state that the City Clerk has received requests in the form provided by law for a recount of the ballots cast in several of the Senatorial and Representative districts, on which account the committee request leave to examine the ballots in said districts, and further time in which to report on the election of Senators and Representatives.

The report was accepted, and further time was granted in accordance with the request.

SEA WALL AT DEER ISLAND.

Alderman James, from the Joint Standing Committee on Public Institutions, to whom was referred the communication from the Board of Directors for Public Institutions, requesting authority to construct a sea wall on the southerly side of Deer Island, for the purpose of filling the flats and erecting coal sheds thereon, on carefully considering the subject, reported the accompanying order:

Ordered, That the Board of Directors for Public Institutions be authorized to construct a sea wall on the southeasterly side of the wharf on the southerly side of Deer Island, reclaiming from the water space sufficient land to enable them to erect suitable sheds for the storage of coal, and other purposes, the expense thereof to be charged to the appropriation for the House of Industry, and not to exceed the sum of $12,000.

The order was read twice and passed.

Alderman White, from the Committee on Licenses, reported in favor of a license to Miss Abbie A. Noyes to give a concert at Tremont Temple, Nov. 5, and a license to Wm. Goodwin as a common victualler. Severally accepted.

Alderman White also reported several bonds of Constables as examined and approved. Accepted.

ORDERS PASSED.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be and he is hereby authorized to construct a sewer in Shawmut avenue, between Ball and Madison streets; the Tremont Improvement Company and others agreeing to pay three-fourths of the expense.

On motion of Alderman Baldwin.

Ordered, That there be paid to the Second Battery of Artillery and to Company D of the First Cavalry, the sums allowed to said companies for "special duty," as certified by the Adjutant-General, Nov. 3, 1869, said sums amounting in the aggregate to $758 50, to be charged to the appropriation for militia bounty.

On motion of Alderman Talbot,

Ordered, That the Mayor be requested to petition, in behalf of the City Council, the General Court, at its next session, for authority to establish and operate a ferry between East Boston and city proper, using for that purpose the slips owned by the city, and that notice of said petition be given as required by law.

Alderman Talbot stated that his object in the adoption of the order was to meet the requirement of law, the sixty days having nearly expired allowed of notice of petitions to be presented to the Legislature. The committee have as yet received no proposition from the ferry corporation, but have no doubt they will receive a proposal, at least they hope so, and that the purchase will be consummated. But they wish to meet any objection which might be urged if they should fail to comply with the law relating to the presentation of petitions to the Legislature, so that it shall not be pleaded that we have not given proper notice. They did not wish to forestall any action of the ferry corporation, or take any advantage of them in negotiations for the purchase of their property, but simply to be prepared for any emergency in the failure to agree on the subject of the purchase.

On motion of Alderman James,

Ordered, That the Superintendent of Streets be directed to reset the edgestones on Hanover street, between Court and Blackstone streets, according to the line of widening of said street, so as to make the sidewalks the width required by law; also to pave said sidewalks with brick, and to do such paving, gravelling or macadamizing as may be necessary to put and maintain said street in good and safe condition for public travel.

Alderman Bradlee moved to take from the table the order relative to the appointment of a Board of Street Commissioners, with a view to its reference to the Committee on Ordinances, stating that it was desirable to ascertain what course it was best to adopt on the subject.

The order was taken up and referred as proposed.

Alderman Richards moved to take from the table the order relative to furnishing relief to the families of soldiers and sailors in necessitous circumstances, in such cases as are not provided for by law, the question being on referring it to the Committee on Soldiers' Relief, in concurrence.

The order was taken up, and in support of the motion for its reference in concurrence, Alderman Richards said he had understood there were some special cases in which the committee wished to afford aid and not to go into any general furnishing of relief. As the Board of Aldermen constituted a part of the Committee, they would be able to judge whether in these particular cases such aid should be afforded.

Alderman Bradlee hoped the Board would not concur with the Common Council in the reference of the order. The same matter had been before the Committee, the only difference being that the former order required but $1000, while this asked for $3000. The Committee, after a thorough examination of the subject, reported against the order, on the ground that the city had no legal right to make the appropriation. It would be better for the Board to non-concur. This would save calling the Committee together and going over the same ground again.

Alderman Richards said he was not present at the former consideration of the subject by the committee, and knew of no instance in which this aid was required. He was told, however, that there were such cases, and some gentlemen who were present knew of them. No return was required of such cases to the State, and it was not expected that the amount would be refunded by the Commonwealth. But if there were such cases, they should be aided, and if they occured in his own ward, he should not hesitate to give the aid. If the committee should be satisfied, on examination, that the aid should not be granted, they would report the order back.

The order was referred, in concurrence.

Adjourned to Monday next, November 8, 4 P. M

# CITY OF BOSTON.

## Proceedings of the Common Council,

## NOVEMBER 4, 1869.

The regular weekly meeting of the Common Council was held this evening at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

Quarterly reports of the City Registrar and of the Overseers of the Poor were ordered to be placed on file.

Several petitions from the Board of Aldermen were referred in concurrence.

The report of the Committee on Public Lands, that the Executive Council of the State have voted to put the price of Rainsford Island at fifty thousand dollars if purchased by the city, was accepted in concurrence.

The following orders were severally read twice, under suspension of the rules, and passed:

Order to purchase the estate of Daniel Sheehan, in settlement of damages for the widening and grading of Purchase street, at seven thousand dollars.

Order to purchase the estate of the heirs of Sarah Holmes, at eighteen thousand dollars, in settlement of damages for the laying out and grading of Sturgis street.

Order for the Mayor and Committee on Legislative Matters to appear before the Committee of the House of Representatives to protect the rights of the city relative to the filling of Charles river.

An ordinance to regulate the posting of placards, notices and bills.

Order authorizing the Board of Directors for Public Institutions to construct a sea wall at Deer Island and the filling in of flats, at an expense of $12,000.

The order relating to the appointment of Street Commissioners was referred in concurrence.

The order requesting the Mayor to petition the General Court to establish and operate a ferry between East Boston and the city proper, being under consideration,

Mr. Hall of Ward One said that although the purchase of the ferry property has not been accomplished, he did not doubt that it would be, but in order to enable the city to avail itself of the right to petition the Legislature on the subject, it is necessary that the notice of the presentation of the petition should be made at the present time.

The order was passed, in concurrence.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to purchase the estate of Ann Desmond, in settlement of damages for the widening of Purchase street, at an expense of seven thousand five hundred dollars.

Order to purchase two estates of William Boyle, in settlement of damages for the widening of Hartford place, at the sums of ten and nine thousand dollars.

Order authorizing the building of a coal shed and making of repairs at Police Station No. 7, at a cost of not more than twelve hundred dollars.

Order authorizing twenty-five hundred dollars to be transferred from the Reserved Fund to the Special Appropriation for Grammar Schoolhouse, Ward Nine.

Order authorizing the Committee on Public Buildings to procure plans and estimates for a Primary Schoolhouse, to be located on the lot of land owned by the city on Yeoman street, and report the same to the City Council; said plans to be satisfactory to the Committee on Public Instruction.

Order authorizing the Committee on Public Buildings to sell the buildings on the lot of land owned by the city between Yeoman street and Binney place.

REPORTS OF COMMITTEES.

Mr. Richards of Ward Eight, from the Committee on Streets of the Common Council, to whom were referred the resolve and order for the widening of Bedford street at the corner of Washington street and at the corner of Chauncy street, reported that in their judgment the resolve and order ought to pass.

The report was accepted, and the resolve and order were read a second time, and passed.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, who were directed to procure plans and estimates for a Grammar Schoolhouse, to be located on the lot of land lying between Sterling street and Windsor street, in Ward Fourteen, made a report that they have attended to that duty, and find that it will cost to erect the said buildings, according to plans which have been approved by the Committee on Public Instruction, the sum of $90,000. They would therefore recommend the passage of the following orders:

Ordered, That the Committee on Public Buildings be authorized to erect a Grammar Schoolhouse on the lot of land owned by the city lying between Sterling street and Windsor street, in Ward Fourteen, according to plans approved by the Committee on Public Instruction, at a cost of $90,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $90,000, to be appropriated for the erection of a Grammar Schoolhouse in Ward Fourteen

Mr. Keith moved a suspension of the rules, if no objection was made, for a second reading of the orders at this time. Carried.

Mr. Pickering of Ward Fourteen inquired where the location of this schoolhouse was to be?

Mr. Keith replied that it was on the Tremont Improvement Company's lands, fronting on Madison square. The neighborhood was building up rapidly, and the house will be much needed by the time it is up.

Mr. Jenks of Ward Three inquired whether the lot was to be piled?

Mr. Keith replied that it was optional with the builder. It would be necessary only to drive piles twelve feet, or by digging twelve feet the builder would reach hardpan.

Mr. Jenks inquired if a schoolhouse had not already been erected on the Tremont Improvement Company's lands.

Mr. Keith replied that there had not.

The orders were passed—yeas 47, nays none.

Mr. Ingalls of Ward Twelve, from the Committee on Ordinances, made a report of an ordinance in amendment of the ordinance in relation to streets, providing as follows:

Section 1. The 51st section of the ordinance in relation to streets is hereby amended by inserting after the word "of" in the fifth line, the words "the whole of."

Mr. Ingalls stated that this was in amendment of an ordinance recently passed, and on his motion for a suspension of the rules, the proposed amendment of this ordinance was considered.

Mr. Ingalls said that when the subject was before the Council the gentleman from Ward Three, on whose motion the words were stricken out which it was now proposed to restore, showed his amendment to him. At that time he could see no objection to it. The City Solicitor, however, had told him that by striking out the words in question, the pith of the ordinance was struck out. By a recent decision of the Supreme Judicial Court, Commonwealth vs. Watson, the old ordinance was ineffectual in providing for the removal of snow and ice from sidewalks where there was more than one tenant in a building, either against the owner or tenants, and the ordinance was framed to meet that difficulty.

At the request of Mr. Jenks of Ward Three, the marginal reference was read and Mr. Ingalls likewise read the close of the opinion of the Court, the decision applying not alone to the owner, but to the tenants.

The amendment to the ordinance was passed.

A QUESTION OF ORDER.

The President stated that at a previous meeting of the Council a question of order was raised, viz: That a motion to take an order from the table, which had been refused at a previous meeting, could not be entertained again under the rules. On reflection the Chair was satisfied that such a motion was in order, and the Chair reversed his decision.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## NOVEMBER 8, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Coal Weigher—Peter Morrison.

Special Police Officer, without pay—William T. Hammond, for Base Ball Ground.

PETITIONS PRESENTED AND REFERRED.

Henry Sigourney, surrender of estate No. 47 India wharf, a portion of which was taken for laying out of Atlantic avenue.

Lucy and Calvin Ellis, surrender of estate No. 18 India wharf, a portion of which was taken for laying out Atlantic avenue. Severally referred to Committee on Streets.

Hannah Brickell, for an abatement of an assessment for a sewer on Eustis street. Referred to the Committee on Sewers.

James S. Green, for leave to give a concert at Lyceum Hall, Nov. 9, 1869. Referred to Committee on Licenses.

First Battery Light Artillery, that repairs be made on their armory. Referred to Committee on Public Buildings.

Sidney B. Morse to be relieved from damages caused by surface water from Albany and Malden streets.

S. A. Stetson and others, that edgestones and sidewalks be laid on Ferdinand street.

Leonard Ware and others, that High street, between Federal and Summer streets, be paved with granite blocks.

Severally referred to the Committee on Streets.

Members of the Suffolk bar, that better accommodations may be furnished for the office of Clerk of the Superior (Civil) Court. Referred to the Committee on Public Buildings on the part of the Board of Aldermen.

Boston Lead Co. and others, that an additional steam fire engine company be located in Ward Thirteen. Referred to Committee on Fire Department.

C. P. Swain and others, for a lamp on Milmont street.

St. James Society, that lamps be placed and lighted near the church on Harvard and Lincoln streets.

Severally referred to the Committee on Lamps.

J. W. Pinkerton vs. Boston & Albany Railroad Company, for assessment of damages for taking of land in East Boston, with an order of notice for a hearing November 22, 4 o'clock P. M.

George S. Hillard and others, and Provident Institution for Savings, against the laying of a railroad track in Temple place. Severally laid on the table.

NOTICES OF INTENTION TO BUILD.

T. Joseph Griffin, Village street, between Chapman and Dover streets; John J. Driscoll, Sixth street, between C and D streets; Fox & Studley, Chandler street, between Berkeley and Clarendon streets; N. Adams, 42 and 44 Federal street; Lawrence & Messenger, Princeton street; Francis Mehan, Longwood avenue; Alden Avery, Hammond park; H. A. Sharp, 84 Paris street; W. S. Williams, 51 Princeton street; Samuel Small, Meridian street; M. S. Gifford, 205 Broadway; Dennis Nolan, Maverick street.

Severally referred to the Committee on Streets.

QUARTERLY REPORT OF CITY CLERK.

The City Clerk reported for the quarter ending Oct. 31, 1869, receipts in his office, as follows:

Recording mortgages of personal property, &c., $470 70; licenses of billiard rooms, $110; licenses as auctioneers, $4; licenses of intelligence offices, $9; total, $593 70—all of which has been paid into the City Treasury. Read and sent down.

AUDITOR'S MONTHLY EXHIBIT.

The Monthly Exhibit of the Auditor was laid before the Board, presenting an Exhibit of the General and Special Appropriations for the present financial year of 1869-70, as shown in the books in his office, Nov. 1, 1869, including the November draft, being seven months' payments of the financial year, exhibiting the original appropriations, the amount expended, and the balances of each unexpended at that date. A recapitulation gives the following results:

| | Appropriations, Revenues, etc. | Expended. | Unexpended. |
|---|---|---|---|
| General.. | $8,718,595 73 | $4,149,965 91 | $4,568,629 82 |
| Special... | 6,469,766 87 | 2,375,984 41 | 4,093,782 46 |
| | $15,188,362 60 | $6,525,950 32 | $8,662,412 28 |

Read and ordered to be sent down.

ASSISTANT CLERK OF COMMITTEES.

The following communication was read;

*To the Honorable the City Council:*

In accordance with the provisions of the third section of the ordinance to establish the office of Clerk of Committees, passed Oct. 26, 1869, I have the honor to appoint, subject to your approval, James L. Hillard to be Assistant Clerk of Committees.

JAMES M. BUGBEE,
Clerk of Committees.

The appointment was approved.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the order of notice on the proposed widening of Eliot street from Tremont street to Pleasant street, was taken up.

Joseph Hay stated that he had lived in Eliot street since 1822, in a house which he built and now occupied. He was now almost eighty years old and was blind. The house suited him and was convenient for his uses, and when built was a desirable place of residence. It was now not so desirable, still as his own house he liked it and desired to stay in it as long as he lived, and was content with the street as it is. He had resided in this city since 1804, and had always paid his taxes readily, with one or two exceptions, when he thought they were rather high. If it was determined to widen the street, he wished to say to the Board that he hoped they would deal with him as they desired to be done by themselves.

Cornelius Cowing said he expected to meet his son here, who knew better about an estate of his on Eliot street than he did himself. He did not wish to hinder any improvements which were necessarry in the city, but desired to have his rights protected.

William Holmes said he had lived in Eliot street 18 years. His house was a comfortable one for him, and he did not wish to see the street widened. He was told that if widened there would be a railroad track through it. If so, the street would be worse than it is now.

Mr. George Page said he owned an estate on Eliot street, and did not think it called for any widening.

The report was recommitted.

The hearing on the order of notice on the construction of a sewer in Chandler street, was taken up.

Rev. Mr. Blaikie expressed a wish for the construction of the sewer, and the report was recommitted.

The order of notice on the proposed construction of a sewer in Kendall street was taken up. No person appearing in relation to the subject, the report was recommitted.

The order of notice on the petition of E. & G. G. Hook, for leave to use a steam engine in connection with their building, No. 1131 Tremont street, was taken up.

James M. Keith stated that he appeared at a short notice on behalf of persons residing in the neighborhood. There were many wooden dwellings near this place, of a combustible character, and as these persons had not had time to prepare themselves to give reasons why the petition should not be granted, they wished a postponement for a week.

The hearing was postponed to Monday next.

PAPERS FROM THE COMMON COUNCIL.

The ordinance to amend an ordinance in relation to streets was passed, in concurrence.

The following orders were severally read twice and passed, in concurrence:

Order to sell buildings of the city on land on Vernon street.

Order to erect a primary schoolhouse on Yeoman street.

Report and orders for erection of a grammar schoolhouse in Ward Fourteen, on Stirling street, at a cost of $90,000.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of licenses to Max Strakosch to give concerts in Music Hall, Nov, 12 and 13; of M. T. Dole to give concerts and lectures in Mercantile Hall on Sunday evenings; of Charles E. Fuller for walking matches at the Skating Rink this month. Severally accepted.

Alderman White reported in favor of licenses to three newsboys; of licenses for wagon stands; as an innholder; for transfer of wagon licenses and transfer of billiard license; also revoking license of Edwin A. Forbes, 88 Friend street, and of Henry Collet, 103 Cambridge street, as pawn-brokers, and of H. M. Winslow & Co., 685 Washington street, as an intelligence office. Severally accepted.

Alderman White, from the Committee on Health, reported favorably on the petition for leave to build stables as follows: Samuel B. Krogman, near 16 Copeland street; Charles G. Bird, Copeland street; F. A. Schell, South street; G. W. Johnson, Middle street. Severally accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Richards, from the Committee on Faneuil Hall, reported in favor of granting the petition of C. H. Thwing and others for the use of Faneuil Hall Nov. 16, for a public meeting. Accepted.

Alderman Richards, from the Committee on the Fire Department, reported in favor of a license to E. O. Merrill for leave to store petroleum at Nos. 47 and 49 Charlestown street. Accepted

Alderman Talbot, from the Committee on Claims, to whom was referred the petition of Michael Fitzpatrick to be compensated for injuries received on account of an alleged defect in the sidewalk on Fleet street, reported that the petitioner have leave to withdraw. Accepted.

Alderman White, from the Committee on Public Instruction, who were requested to consider the expediency of purchasing the lot of land on Tyler street, adjoining the Quincy School, made a report, that in their opinion it will be inexpedient to purchase said lot. Accepted.

Alderman White, from the Committee on Public Instruction, to whom was referred the order to consider the expediency of reserving the lot of land on Tremont street, adjoining the Winthrop School, for school purposes, made a report recommending the passage of the accompanying order:

Ordered, That the lot of land purchased by the city in 1865, on the southerly side of the Winthrop Schoolhouse, on Tremont street, be and the same is hereby set apart for school purposes.

Accepted, and order passed.

REPORT ON RETURNS OF VOTES.

The Committee appointed to Examine the Returns of Votes cast on the 2d inst. for State officers, made their final report, as follows:

In accordance with requests framed in the proper form and received within the time prescribed by law, the committee have counted the original ballots cast for Senators in Wards 2, 3, 4, 5, 8 and 9, and for Representatives in Wards 2, 3, 12, 14 and 15, and though there were found to be some variations from the returns of the ward officers of said wards, the general result is in no case changed. A table containing the results as certified by the ward officers, and as exhibited by the official count, is appended hereto. The amended results have been duly entered in the records of votes, and the Committee recommend that the usual certificates be transmitted to the Secretary of the Commonwealth, and that the City Clerk notify the following named persons, who have received a plurality of votes, that they have been duly chosen Representatives from their respective districts, viz.:

Ward 1—Dexter A. Tompkins, Sidney F. Whitehouse, Hodgdon F. Buzzell.

Ward 2—Michael Carney, James O. Fallon, John Drynan.

Ward 3—Thos. J. Gargan, Thos. L. Jenks, Michael F. Wells.

Ward 4—Chas. R. Train, Daniel H. Whitney, S. F. Crockett.

Ward 5—Chas L. Woodbury, Jeremiah J. Driscoll, Dennis J. Gorman.

Ward 6—Harvey Jewell, Geo. L. Ruffin, Hugh Flood.

Ward 7—John E. Fitzgerald, Hugh A. Madden, Patrick Barry.

Ward 8—John D. Weld, Amasa W. Bailey, Wm. H. Cundy.

Ward 9—L. Miles Standish, Charles Nowell.

Ward 10—Timothy Davis, Noble H. Hill.

Ward 11—Solomon Carter, James Horswell, Samuel J. Tuttle.

Ward 12—Robert Johnson, Francis James.

Ward 13—Benjamin Franklin.

Wards 14 and 15—George Putnam, Charles H. Hovey, Moody Merrill.

Signed by Aldermen Fairbanks and Van Nostrand.

SENATOR—DISTRICT TWO.

| | Official Count. Ward 2. | Ward 3. | Ward Returns. Ward 2. | Ward 3. |
|---|---|---|---|---|
| Alonzo M. Giles | 1279 | 769 | 1294 | 769 |
| Wm. A. Simmons | 759 | 620 | 732 | 587 |
| Charles McLean | 38 | 4 | 38 | 4 |
| W. Simmonds | 1 | | | |
| —— Simmons | | 2 | | 3 |
| S. F. Upham | 1 | | | |
| James Nowell | 1 | | | |

SENATOR—DISTRICT THREE.

| | Official Count. Ward 4. | Ward 5. | Ward Returns. Ward 4. | Ward 5. |
|---|---|---|---|---|
| Ellis W. Morton | 720 | 375 | 716 | 363 |
| W. O. Johnson | 347 | 669 | 351 | 675 |
| John B. Roys | 7 | | 7 | |
| Otis Munroe | 1 | | 1 | |
| John P. Robinson | 1 | | 1 | |
| Henry L. Saxton | | 22 | | 17 |
| C. W. Calkins | | 1 | | |

SENATOR—DISTRICT FOUR.

| | Official Count. Ward 8. | Ward 9. | Ward Returns. Ward 8. | Ward 9. |
|---|---|---|---|---|
| Horace H. Coolidge | 498 | 530 | 502 | 531 |
| John H. Wiggins | 525 | 468 | 531 | 468 |
| E. W. Morton | 1 | | 1 | |
| E. Edmands | 1 | | 1 | |

REPRESENTATIVES—WARD TWO.

| | Official. | Ward Returns. |
|---|---|---|
| Michael Carney | 1209 | 1211 |
| James O. Fallon | 1271 | 1269 |
| John Drynan | 1152 | 1135 |
| John F. Gill | 645 | 618 |
| Edward Malone | 871 | 863 |
| Frederic Myers | 591 | 578 |
| Jacob B. Winsor | 48 | 53 |
| Clinton Viles | 48 | 45 |
| Daniel L. Fay | 43 | 47 |
| Geo. W. Close | 17 | 16 |
| James Cosgrove | 9 | 9 |
| Samuel McBride | 8 | 9 |
| All others | 25 | 11 |

REPRESENTATIVES—WARD THREE.

| | Official. | Ward Returns. |
|---|---|---|
| Thos. J. Gargan | 889 | 822 |
| Thos. L. Jenks | 816 | 820 |
| M. F. Wells | 705 | 704 |
| Thos. Gaffield | 415 | 404 |
| George Going | 636 | 632 |
| Avery Plumer | 421 | 417 |
| O. F. Nims | 59 | 58 |
| J. Sheehe | 23 | 23 |
| H. P. Wilson | 21 | 26 |
| R. S. Brown | 19 | 19 |
| T. H. Leadworth | 2 | 2 |
| Charles Jarvis | 2 | 2 |
| All others | 19 | 20 |

REPRESENTATIVES—WARD TWELVE.

| | Official. | Ward Returns. |
|---|---|---|
| Robert Johnson | 745 | 799 |
| Francis James | 811 | 885 |
| J. W. F. Willson | 587 | 609 |
| John Riddle | 485 | 490 |
| J. T. Padgett | 52 | 73 |
| W. G. Johnson | 31 | 58 |
| Thomas Leavitt | 2 | 1 |
| J. P. Haskins | 1 | 1 |
| All others | 2 | |

REPRESENTATIVES—WARDS FOURTEEN AND FIFTEEN.

| | Official. Ward 14. | Ward 15. | Ward Returns. Ward 14. | Ward 15. |
|---|---|---|---|---|
| George Putnam | 648 | 426 | 661 | 409 |
| Moody Merrill | 658 | 419 | 658 | 398 |
| Chas. H. Hovey | 659 | 410 | 614 | 397 |
| Geo. M. Hobbs | 325 | 698 | 327 | 704 |
| P. B. Smith, Jr. | 318 | 696 | 328 | 698 |
| Hugh O'Brien | 320 | 675 | 322 | 677 |

| | Ward 14. | Ward 15. | Ward 14. | Ward 15. |
|---|---|---|---|---|
| E. C. Kingsbury.... | 18 | 2 | 3 | 2 |
| P. B. Smith..... | 1 | 1 | | |
| F. B. Smith..... | 1 | | | |
| Chas. Hovey..... | | | 1 | |
| Chas. F. Hovey.... | 2 | 2 | 13 | |
| All others..... | 3 | 5 | 2 | 8 |

The report was accepted.

CLAIM FOR FIRE ALARM PATENTS.

Alderman Talbot, from the Joint Standing Committee on Claims, to whom was referred the petition of James M. Gardiner, to be compensated for the use of his patent fire alarm telegraph system, in territory recently annexed to the city of Boston, submitted the following report:

In 1857, Dr. Wm. F. Channing conveyed to the city of Boston for the nominal consideration of one dollar, the full and exclusive right and privilege of making, constructing and using the invention or improvements called "improvements in electro-magnetic alarm bells" and "the Electro-Magnetic Fire Alarm Telegraph for cities," during the term of the patents.

In a communication to the City Solicitor at the time the conveyance was made, Dr. Channing stated that his "motive in offering the system to the City Government of Boston was simply one of good citizenship and interest in the application of science to organized social life." In 1865, James M. Gardner, the petitioner in this case, became sole owner, by assignments of sundry patents heretofore granted to Moses G. Farmer and Wm. F. Channing and others, of the system of fire alarm telegraphs.

In 1868 the city extended the system which had been conveyed to them by Dr. Channing over the territory comprised in Wards Thirteen, Fourteen and Fifteen. The question whether the city had the right to use the patents in territory acquired after the conveyance in 1857, was not considered or thought of until the petition above referred to was put in.

It is the opinion of the City Solicitor that the present owner has a legal claim for compensation from the city for the use of the system in the recently annexed territory, and the only question is in regard to the value of such use.

It appears from the evidence presented to the committee, that putting in operation the system which had been patented, to the extent that it is at present in operation in Wards Thirteen, Fourteen and Fifteen, would have cost the city, had it been in the same position as other cities in the United States, not less than $20,000.

The actual cost of the patented apparatus used was $13,304, by which it appears that the saving to the city by using the apparatus on which a royalty had not been paid, and doing this work through its own officers, amounted to $6696.

In view of the fact that Dorchester will become a part of this city on the first of January, 1870, and that it will be expedient to introduce the system in that territory, sooner or later, the Committee obtained a proposition from the owner to convey the right to make extensions over that section, as well as the Highlands. A copy of that proposition is appended hereto. The territory comprised within the lines of Dorchester covers twice the area of Wards Thirteen, Fourteen and Fifteen, and although the population is much less, the number of bells and telegraph boxes required will be about the same as in the Highlands, and the length of wire will be much greater.

The proposal to convey the right to use the patents in the Highlands and in Dorchester, to any extent that the City Council may direct, for the sum of $8000, appears to the committee to be a reasonable one, and they therefore recommend the passage of the accompanying orders:

Ordered, That there be paid to James M. Gardiner the sum of $8000, upon his conveying to the city of Boston the full and exclusive right and privilege of making, constructing and using the patented inventions and improvements covering the system of fire alarm telegraphs in the territory now comprised in Wards Thirteen, Fourteen, and Fifteen, in the city of Boston, and also in the territory now comprised within the limits of the town of Dorchester, in the county of Norfolk, and annexed to the city of Boston by Chapter 349 of the Acts of the year 1869, said conveyance to cover any renewals of the patents, and to be satisfactory to the City Solicitor.

Ordered, That the Auditor of Accounts be authorized to transfer from the Reserved Fund the sum of $8000, to be paid to James M. Gardiner for the use of his patent fire alarm telegraph system.

The orders were read once and were laid over.

Alderman Richards stated that in view of the talk of annexation of other towns and cities to Boston, such a settlement should be made as would cover all the places which may be annexed to the city. Knowing the measures which were taken to place the patent of the fire alarm telegraph in the possession of the city, he should have been in favor of allowing the petitioner to obtain his claim by a law suit. If the city is to pay for the use of the fire alarm patent, it should pay for it for all time. There was just as much ground for the claim when the portion of the Back Bay, which was a part of Roxbury, was annexed to Boston as now, and next year there may be Charlestown and Brookline added, and if compensation was to be made, it should cover all the places which may be annexed.

METROPOLITAN RAILROAD LOCATION.

Alderman James, from the Committee on Paving, to whom was recommitted the petition of the Metropolitan Railroad Company for a location in Temple place, reported the following order of location:

Ordered, In addition to the rights heretofore granted to the Metropolitan Railroad Company to lay down tracks in several of the streets of the city of Boston, said company shall have the right to lay down a single track in the centre of the roadway of Temple place, with curved tracks to connect the same with the tracks now laid down in Washington and Tremont streets.

The right to lay down the tracks located by this order is upon the condition that the whole work of laying down the tracks, the precise location of the same, and the form of rail to be used, shall be under the direction and to the satisfaction of the Committee on Paving and the Superintendent of Streets, and shall be approved by them.

Also, upon the condition that the space between the rails and three feet on each side thereof shall be paved with wooden pavement.

Also, upon the condition that the said Metropolitan Railroad Company shall accept this order of location, and agree in writing to comply with the conditions therein contained, and file said acceptance and agreement with the City Clerk within twenty days of the date of its passage, otherwise it shall be null and void.

The order was read once.

Alderman Talbot said that before passing the order the Board should ascertain its rights as to regulating the running of cars, or at any rate should make some conditions as to the number of cars to be run through Temple place. It was desirable that some relief should be given to the lower part of the city, in regard to the crowded state of the streets in that section, and he was in favor of giving the right to a location through Temple place, provided that the railroad corporation should be obligated to send a portion of their cars through that street during the daytime. Another point which he wished settled, was whether the South Boston cars would be allowed to pass over these tracks. The location would be a convenience to the citizens to a large extent, and the running of cars may be regulated now, but he did not know whether it could, should the order be passed without stipulating what number of cars should be run over these tracks.

Alderman James said the object the Corporation had in view was to have some portion of their cars run over this route. Whatever the Board may order in relation to the matter, they will agree to.

Alderman Talbot said that when this location was asked for last year, the ostensible object was to run through this place in the night to shorten the route, and not in the day-time. He did not know but what that was the object now, but if the corporation wished to shorten their route by running over this track in the night, they should also be required to relieve the streets further down in the day-time by running a portion of their cars through Temple place.

Mr. Cumston, President of the corporation, stated that it was their design to run some of their cars over this route in the day time, and there would be no difficulty about running the South Boston cars over their tracks, as there was now by a mutual arrangement.

Alderman Richards stated that last year the corporation asked for a double track, but this year only for a single track. Whatever arrangement the Board may order, the Corporation will agree to. The Board has the power, and it may take up the tracks if its orders are not complied with. He did not doubt a considerable number of cars would be run over this route, and that the corporation would be governed by the Committee on this matter. As it was getting late in the season, and it was necessary to lay down the track before winter, he would move a suspension of the rules for the passage of the order at this time.

Alderman Bradlee said he agreed with Alderman Talbot as to the necessity of requiring that cars should run over the route at other times than in the night. It was desirable to effect an arrangement to relieve the lower part of the city to some extent from its crowded travel. If any gentleman could answer whether the Board could regulate the running of the cars, he would vote for the passage of the order at this time; otherwise he should vote that it lie over.

Alderman Richards stated that in 1863, when the streets were blocked with snow, the City Solicitor gave it as his opinion that the Board of Aldermen had the right to take up the rails if the corporation did not comply with their orders. In this case, if the corporation did not run some of their cars through this street, to relieve the travel elsewhere, the Board may order the rails to be taken up. He did not doubt they would do so to the utmost of their power. If they did not, he would vote for taking up the rails.

Mr. Cumston said the corporation were perfectly willing to be governed by the Board, in running some of their cars through Temple place, and less of them further down. Their main object in the new location was in doing so. Many passengers from Roxbury did not wish to go any further down than that.

Alderman Bradlee said he wished to know what authority the Board had to regulate the running of the cars. There should be some condition to bind the corporation to the proposed action. The removal of snow raised a different question from this now raised. Excepting under the most aggravating circumstances the Board could not be justified in taking up the rails. As no gentleman had stated that the Board had undoubted authority in this matter, he hoped the order would lie over. Let us find out what the corporation wants, and if we have not the authority to regulate the running of cars, make such arrangements as are necessary before passing the order.

Wm. Gaston, for the railroad corporation, stated that the Board may not have direct authority to regulate the running of cars, but they have an ordinance to limit the distance between the cars on the street. That distance might be increased to 300 feet, which would have the effect to require cars to be taken off, or shorten the route run by them. By an act of the Legislature the Board had the right to regulate the rate of speed and other matters relating to horse railroads. To show this he read from an act of 1869. In respect to relieving the streets, the new location was for that purpose. As to the number of cars to be run over the new route, it could not be determined. One of the conditions of the charter was that the Board of Aldermen may make all rules and regulations relative to their use of the streets.

Alderman Talbot hoped the order would lie over. The Board could conceive the object of shortening the route in the evening, but the grant of the new location was not for that purpose. It was desirable to relieve Washington street in the day time, when it was crowded, but to save half a mile in the evening might be an important object to the corporation. He did not doubt they intended to act in good faith. But whatever the present management of the corporation might be willing to perform, was no guarantee of what its future officers might do. They would not run cars where there were no passengers; yet it was not necessary to grant the request to shorten their route for their cars and keep the streets blocked in the day time. Should the matter lie over, he presumed some satisfactory arrangements could be made with the railroad.

Alderman Richards said if the Board would order that a certain number of cars shall pass over this route during certain hours a day, he did not doubt they had the authority to do so by the act of the Legislature. If gentlemen felt as he felt, as it was growing late in the season, it was important that the work should be done before the ground was frozen.

Alderman Bradlee did not believe a week's delay would make much difference in laying the track. Very likely the Board had the power which had been claimed, but he did not know it. They should be very careful of their action, and while they looked out for the interests of the Metropolitan Railroad, they should also look out for the interests of the public.

The motion for suspension of the rules was carried, and the order was passed.

ADDITIONAL APPROPRIATION FOR WIDENING OF TREMONT STREET.

The Committee on Laying Out and Widening Streets, respectfully report that an additional loan of *twenty thousand dollars* will be required for the payment of unsettled claims for damages occasioned by the widening and change of grade of Tremont street, between Boylston street and the Boston & Albany Railroad bridge.

| | |
|---|---|
| This street was widened and a new grade established, June 6, 1868, and a loan was made at that time | $500,000 00 |
| Additional loan asked for | 20,000 00 |
| Making a total of | $520,000 00 |

In the settlement of damages on this street, the city has purchased several estates, and sold the balance after widening for the sum of $75,072 95, which amount was added to the sinking fund and not to the loan. Had this amount been added to the original loan of $500,000, it would not be necessary now to ask for an additional loan, as the cost of widening and grade damages would come within that loan, as shown by the following figures:

| | |
|---|---|
| Original loan | $500,000 00 |
| Deduct revenue from sale of estates | 75,072 95 |
| | $424,927 05 |
| Add amount required for unsettled claims | 20,000 00 |
| Making a total of | $444,927 05 |

The Committee therefore unanimously recommend the passage of the accompanying order.

Respectfully submitted.

NEWTON TALBOT,
EDWARD A. WHITE,
GEORGE P. BALDWIN,
Committee.

Ordered, That the Treasurer be, and he hereby is, authorized to borrow, under the direction of the Committee on Finance, the sum of $20,000, and that the same be added to the appropriation for the widening and change of grade of Tremont street, between Boylston street and the Boston & Albany Railroad bridge, known as the "Tremont Street Loan."

The order was read twice and passed.

ORDERS OF NOTICE.

On the petitions of E. Wright & Co., for leave to build a stable on Norfolk avenue; of D. P. Nichols, stable rear of Alpine street; C. E. Draper, on Bower street; E. M. Watson, on Walnut park. Hearings severally, Monday, Nov. 15, 4 P. M.

On the proposed widening of Summer street, north side, between High and Federal streets. Hearing Monday, Nov. 22, 4 P. M.

On the proposed widening of Bedford street, south side, corner of Lincoln Street. Hearing Monday, Nov. 22, 4 P. M.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the Committee on Paving, to whom was referred several petitions for compensation for grade damages on Devonshire street, Water street and Spring lane, be authorized (if they deem it expedient) to submit all matters in dispute between the petitioners and the city to the arbitrament of referees, to be chosen by said petitioners and the Committee on Paving, the decision of said referees to be binding on both parties.

On motion of Alderman Fairbanks,

Ordered, That the Superintendent of Sewers be and he is hereby directed to construct a common sewer in Chandler street, and report a schedule of the expense thereof to this Board, pursuant to law.

On motion of Alderman White,

Ordered, That the Superintendent of Health be and he is hereby instructed to deliver 200 loads of ashes (more or less) on Ferdinand street, and that the same be charged to Martin Hayes, at the rate of twenty-five cents per load.

On motion of Alderman Bradlee.

Ordered, That until otherwise ordered the salary of the Assistant Clerk of Committees shall be at the rate of $500 per annum, beginning on the 1st of November, 1869.

On motion of Alderman Talbot,

Ordered, That there be purchased in the settlement of damages occasioned by the widening and grading of Purchase street, the estate numbered, 144 on that street belonging to Alexander Isburg, for the sum of $8500, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be purchased, in the settlement of damages occasioned by the extension of Broadway, of Seth Adams, an estate thereon, for the sum of $33,540, to be charged to the Broadway Extension Loan.

Ordered, That there be paid to Patrick Kelley $4470 for land taken and all damages—including grade damages—occasioned his estate on Oliver street, by the laying out and grading of Sturgis street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Isaac T. Burr $5391 50, for land taken and all damages occasioned (and including net proceeds of sale of old materials on) his estate, by the widening and grading of Purchase street, by a resolve of July 23. 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to the heirs of Patrick Leary $2500 for damages occasioned their estate, and net proceeds of sale of old material thereon, by the grading of Washington square, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to James L. Miller $2248 for land taken and damages occasioned by the extension of Woodward street, by a resolve of November 3, 1869, to be charged to the Appropriation for Laying Out and Widening Streets.

Ordered, That there be paid to Chas. D., Geo. H. and John Homans, trustees, the sum of $8000, for land taken and damages occasioned by the laying out of Atlantic avenue, by a resolve of December 18, 1868, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to Rosanna Gaven, administratrix, the sum of $40, for land taken from and all damages occasioned to her estate by the widening of Harrison avenue, thereon, by a resolve of August 24, 1869, to be charged to the Appropriation for Laying Out and Widening Streets.

Ordered, That there be paid to Dennis F. Flagg $7070, for land taken and damages occasioned by the widening of Hanover street, by a resolve of Oct. 15, 1869, to be charged to the second Hanover Street Loan.

Ordered, That there be paid to William S. Perry $26,000, for land taken, and all damages of every name and nature, including grade damages, and also all damages arising from any obstruction that the pier, guard or fender of the Broadway bridge may cause to the said Perry's dock, occasioned by the extension of Broadway, by a resolve of May 3, 1869, to be charged to the Broadway Extension Loan.

Ordered, That there be purchased in the settlement of damages occasioned by the laying out and grading of Hartford street, of Nathaniel Grover, his estate, numbered two, on Purchase place, for the sum of $4700, to be charged to the Fort Hill Improvement Loan.

Ordered, That the order passed June 8, 1869, apportioning the betterment of $1965, assessed upon the estate of the heirs of Joseph H. Thayer, No. 6 Avon place, into three equal parts, be and the same hereby is reconsidered, the said heirs having since decided to pay the said betterment in full.

DEVONSHIRE STREET ASSESSMENT FOR BETTERMENTS.

Whereas, pursuant to an order of this Board, passed April 11th, 1868, Devonshire street was widened between Milk and State streets, at an expense of $391,237 00; and, Whereas, in the opinion of this Board, the estates named in the schedule [below] have been benefited by the widening of said street as aforesaid, it is therefore hereby

Ordered, That the estates named in the said schedule be, and they hereby are, respectively charged with the sums therein severally named against them; the said sums so assessed not exceeding one-half of the amount of the adjudged benefit to said estates by the said widening.

The schedule is as follows:

Thos. H. Russell, trustee, Brazer's building, $1992; F. O. Prince and N. T. Dorr, trustees, Phœnix building, $4547 50; George Howe, City Exchange, $18,000; C. C. Paine, Nos. 16 and 18 Devonshire street, $6770; W. W. Tucker and others, trustees, Nos. 20—24, $7320; George Howe, No. 26, $5160; Beals, Greene & Co., corner Water street, $8399 25; United States of America, $50,000; heirs of T. Bigelow Lawrence, east corner of Milk street, $6927 50; James H. Beal, Nos. 84½ to 90, through to Federal street, $3520; George C. Richardson, Nos. 92 to 100, through to Federal street, $4563; heirs of Chas. Merriam, Nos. 102 to 110, through to Federal street, $4900; Gardner Brewer, Devonshire, Franklin and Federal streets, $1042 50; Isaac Rich, 124 to 132 Devonshire street, $2225; H. H. Hunnewell, Nos. 134 to 138, $787 50; Wright & Whitman, Nos. 140 to 144, $685; H. H. Hunnewell, Nos. 146 to 154, $995 40; Standish & Woodbury, Nos. 156 to 158, $283 50; do. Nos. 160 to 162, $226 20; Nathan Drake, Nos. 164 to 166, $161 85; Isaac Rich, Nos. 168 to 172, $227 50: do. Nos. 174 to 178, $211 25; do Nos. 180—184, $217 30; First National Bank, corner of State street, $3948; Peleg W. Chandler, $6740; Maria Hall, through to Washington street, $3360; David Sears, do., $6905 40; heirs of Samuel Fales, do., $6080; J. A. Codman, $4810; Harvard College, $4541 40; W. W. Tucker and others, trustees, $7875; T. H. Carter, Water and Devonshire streets and Spring lane, $1950; E. Bangs and others, trustees, 51-61 Devonshire street, $16,695; John Simmons, Devonshire and Milk streets, $24,971; George P. Upham, south corner of Milk street, $2400; E. Dwight and others, trustees, 81 Devonshire street, $1375; Valentine Simmons, Nos. 83, 85, $1650; John Simmons, Nos. 87, 89, $1467; George S. Curtis, Nos. 91, 93, $1400; Joseph H. Curtis, Nos, 95, 97, $1385 50; Alpheus Hardy and others, trustees for Sears estate, Nos. 99, 101, $1320; Hugh Montgomery, No. 103, $1132; A. Hardy and others, trustees, No. 105, $1384 15; do., Nos. 107, 109, corner of Franklin street, $2497; Edward Wigglesworth, Franklin and Devonshire streets, $1000; Wm. F. Weld, Winthrop square, $847 75; James M. Beebe, Nos. 145-49 Devonshire street, $253 42; heirs of Charles O. Rogers, Nos. 151, 153, $115 50. Total, $235,275 37.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## NOVEMBER 11, 1869.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The quarterly report of the City Clerk and the Auditor's monthly exhibit were ordered to be placed on file.

The petition of First Battery Light Artillery, for repairs on armory, was referred, in concurrence.

The following reports were accepted, in concurrence:

Report that it is inexpedient to purchase a lot of land on Tyler street, adjoining the Quincy Schoolhouse.

Report leave to withdraw on the petition of M. Fitzpatrick to be paid for injuries received from on alleged defect in Fleet street.

The following orders were severally read twice and passed, in concurrence:

Order to purchase the estate of Nathaniel Grover, in settlement of damages for the laying out and grading of Hartford street, at four thousand seven hundred dollars.

Order to purchase the estate of Seth Adams, in settlement of damages for the extension of Broadway, at thirty-three thousand five hundred and forty dollars.

Order to set apart the lot of land purchased by the city in 1865, on the southerly side of the Winthrop Schoolhouse, for school purposes.

The nomination of Assistant Clerk of Committees was confirmed, and the order fixing the salary of the Assistant Clerk of Committees was passed, in concurrence.

The following orders were each read once:

Order to purchase the estate of Alexander Isburg in settlement of damages for the widening and grading of Purchase street, at eight thousand five hundred dollars.

Order for a loan of twenty thousand dollars to be added to the appropriation for the widening and change of grade of Tremont street, between Boylston street and the Boston & Albany Railroad bridge. City Doc. No. 106, 1869.

A communication from the School Committee, requesting free passes over the ferry for such deaf mutes residing at East Boston as may be connected with the school for deaf mutes, was referred to the Committee on Public Instruction.

REPORTS OF COMMITTEES.

Mr. Keith, from the Committee on Public Buildings, reported the following order:

Ordered, That the Committee on Public Buildings be authorized to contract with Chamberlain & Marston for doing the carpentry of the Grammar Schoolhouse, Ward Fourteen, they being the lowest bidders therefor.

The order was read twice and passed.

Mr. Richards of Ward Eight, from the Committee on Streets of the Common Council, to whom was referred the request of the Committee on Paving of the Board of Aldermen for an additional appropriation of $200,000, to meet the necessary expenses of that department during the remainder of the financial year, having carefully considered the subject, submitted the following report:

The Committee have received from the Superintendent of Streets, and transmit herewith for the information of the Council, very full and complete statements of the expenditures made on account of the appropriation for the financial year 1869-70. The amount of the appropriation was $600,000.

The expenditures in different sections of the city have been as follows:

| | |
|---|---|
| In the city proper | $214,773 37 |
| In Boston Highlands | 53,289 83 |
| In South Boston | 73,094 61 |
| In East Boston | 30,490 89 |
| Incidentals, including materials, salaries, &c | 161,321 57 |
| Total | $532,970 27 |

It appears from the statement of the amount of work done during the present year, that 82,286 feet of edgestones have been set; 31,362 square yards of round stone repaving done; 31,863 square yards of round stone paving; 31,405 square yards of block stone and crossings laid; 34,060 square yards of brick paving, and 8163 square yards of wood pavement.

The expense of completing the work now in progress is estimated at $58,000, which is a little more than covered by the balance of the appropriation unexpended.

The work ordered by the Board of Aldermen but not yet begun by the Superintendent is estimated to cost $76,000.

In addition to this, the Committee of the Aldermen have estimated that the ordinary expenses of the department to May 1, 1870, will amount to $108,000, and that grade damages in process of settlement will amount to $25,000; making the total estimated expenditures to May 1, $267,000.

An examination of the amounts expended from November to March, for a period of ten years, shows an average expenditure of about $75,000 for each year.

It has been the policy of the city for a number of years to cover all the current expenses by taxation, and not to make loans except for extraordinary expenses.

The appropriation for the Paving Department for the present financial year was much larger than was ever made before.

The full amount asked for by the committee having charge of the department was granted, and it now appears that upon the recommendation of that committee the Board of Aldermen have in the course of six months authorized expenditures from the appropriation made for the entire year exceeding the whole amount of that appropriation $67,000.

It does not appear that any emergency has arisen during that time calling for extraordinary outlays by the department, and although we are not prepared to say that any part of the work done, or the expenses incurred, were uncalled for, yet there appears to have been no judicious adaptation of means to ends—otherwise the department would not be in the condition it is today.

Undoubtedly some of the work performed might have been put over until another year, and covered by the annual estimates of expenses. If, however, there has been any lack of judgment in the expenditures, it is too late to provide any remedy this year.

The money has been spent, and means must be provided for keeping the streets in a safe condition until the appropriation for the next financial year can be made available. The Committee would therefore recommend that the request for an additional appropriation be referred to the Committee on Finance, to report an order providing for a transfer from the Reserved Fund, or from the unexpended balances of other appropriations, of a sum not exceeding $100,000, which sum they consider necessary for the completion of work already commenced, or which cannot be avoided, in keeping the streets in proper repair.

The question was taken both on the acceptance of the report and the adoption of its recommendation, and declared to be carried on both.

Mr. Keith of Ward Fifteen expressed a wish to say something on the adoption of the recommendation, upon which the Chair remarked that it was the right of any member to have called for a division of the question.

To relieve members of the Council from an apparent difficulty or misunderstanding, on motion of Mr. Richards, the vote was reconsidered on the acceptance and adoption of the report.

The question recurring upon the original motion,

Mr. Keith said he had no doubt the Committee had made a careful report, but he could not quite agree in some of their conclusions. It was correct that provisions should be made in the annual appropriations for the expenditures of each department of the Government for the financial year, and no reasons had been given for this unusual demand of an additional appropriation. There was no emergency requiring such unusual expenditure. The Committee had not met this question of requiring the Paving Department to keep within its appropriations, but proposed to compromise the matter by giving half what was asked. He had heard this argument for additional appropriation at different times, and it was full

time to put a stop to exceeding the appropriations made at the beginning of each year, except in a case of emergency, which could not be foreseen. The departments are called upon at the commencement of the year to state what amount of appropriations will be required, and they should keep within those appropriations, and should regard it as a sacred obligation not to exceed them. When through any cause impossible to be foreseen, any department should come to the City Council and say that there is a demand for an additional appropriation, and give good reasons for it, his experience was, that in such an emergency, the Council would grant the amount desired. But now what would be the result? If the recommendation of the Committee should be adopted, is there any security that the Committee on Paving will not go on and incur other expenses not authorized, and at the end of the year will come to the City Council for an additional appropriation of $100,000? When new schoolhouses were built or streets extended, it was expected that the expense would be met by a loan for the purpose, but in the matter of paving, it is simply required that the streets shall be kept in repair, and as it is not difficult to estimate the annual expenses for this object, the expenses should be defrayed out of the annual appropriation. He could not see his way clear to vote for the report, and could not see why the paving department should expend $200,000 over what it was estimated would be wanted.

Mr. Wells of Ward Three said he could not see how gentlemen could do otherwise than vote to provide for these expenditures. The Council votes to extend streets, the work is done, and the bills must be paid. If the streets are widened and extended they must be paved and the curb-stones relaid. If he sent in a request for the laying of a sidewalk, it must be done and paid for, and when the bill is paid to the City Government, it don't appear to the credit of the paving appropriation, being put into the sinking fund.

Mr. Keith, in reply, said that in no single instance had there been a call for the paving of streets widened by the order of the present City Government. The widening of Hanover street was ordered by the last City Government, but no expenditures for paving had been required, and if there had been a necessity, it was known soon enough to have been included in the annual appropriation. The extension of Broadway was not in a condition to require paving.

Mr. Wadsworth of Ward Four was of the belief that a committee should possess foresight enough to adapt their work according to the means which they have to carry them through the year. He could hardly vote for the recommendation of the report, because the work of the Committee on Paving has been wasteful before our own eyes. In School street, which was well paved, the pavements had been torn up and the stones carted off to another street. When new pavements were to be laid down it should be where pavements were worn out. It was so also in Tremont street, where square granite blocks were carted off elsewhere. So also it was in Broadway, where the pavement would have lasted several years and was not much out of repair. There $20,000 had been expended, when other places were more in need of new pavements. In many cases paving had been taken up which was about as good as when first put down. New pavement should be put down where it is most needed, instead of taking up good pavements. For these and other reasons he might give, he should vote against the report of the Committee for further appropriation.

Mr. Wells inquired how much of School street was paved before the change of pavement.

Mr. Wadsworth replied, all the lower part of it.

Mr. Ingalls of Ward Twelve said it was interesting to hear members give a kick at the Committee on Paving. It was an old saying, Let him who is without guilt throw the first stone. The gentleman from Ward Four was on the Water Committee, which had failed to confine itself to the appropriations for that department. Only a few months after they had obtained a sum ample for their purpose, as they said, the committee came to the Council for additional appropriations, until now it almost seems there is to be no end to their calls. By the gentleman's own showing, they should see what is needed, and find out at the beginning of the year what appropriations are needed, and not exceed them.

The gentleman from Ward Fifteen was on the Committee on Public Buildings, yet it was but a few days since the committee asked for an additional appropriation for $20,000 for a schoolhouse. If the Cochituate Water Board and the Committee on Public Buildings were fallible, why should not the Committee on Paving also be so? It was impossible for any committee always to tell what it needed. Streets will get out of order and must be repaired. Any one who had had any occasion to pass over Broadway, knew in what condition it was, and he would submit it to any fair minded man if it did not need repaving.

Streets need repairs, and expenditures would be required for the removal of snow and ice. What were they going to do? After keeping a large number of men employed the whole season, who had served the city faithfully, would they now, when their labor is wanted, and they need employment, discharge them at this hard season of the year. He thought the committee had taken a wise course, and recommended the appropriation of just enough to carry through the work necessary to be done without undertaking new work. It was impossible always to get within a few thousand dollars of the amount which might be necessary for some departments. It is safe to refer this question to the Committee on Finance. No new loans are recommended by the chairman of the committee—who is an authority on matters of finance—which advises the transfer of unexpended balances or from the reserved fund. If there are no such balances, the question will be submitted to the Council by the Finance Committee whether a new loan shall be made.

Mr. Wadsworth stated that in a few weeks all work upon the streets must be stopped, and that it would be better to pay men and let them do nothing than to keep them at work when the ground is frozen. The more there is done the worse will it be for the city. One of the rules of the City Council was that before authorizing work to be done, the Committtte shall see whether there is money to meet the expense. He understood by the Committee that authority had been given to do work contrary to the joint rules and orders, When more money is needed, a detailed account of the causes and necessity for further appropriations is required. Until a committee does so, it has no right to authorize expenditures for any money. Grade damages had been incurred on ederal street, not authorized by the order for Broadway extension. Mr. Wadsworth replied to an inquiry of Mr. Ingalls, if this expenditure had not been charged to the Broadway Extension Loan, that he was not aware such was the case, and if it were so, the proceedings were still unauthorized.

Mr. Keith said he wished to reply to the suggestions of the gentleman from Ward Twelve. He believed gentlemen would acquit him of casting any aspersion upon the Committee on Paving, for he ever studiously avoided calling in question the motives of any one, or of making personal reflection. He had said nothing of the wisdom or policy of repaving School street. The rules of the Council were explicit, that no Committee had any right to expend money beyond the legal authority. Some gentlemen seemed to think that if Committees go on and make contracts, that we should sanction them. What he wished was to keep the expenditures of Committees within the appropriations. So far as the remarks related to the Committee on Public Buildings, it was a sufficient reply to say that new schoolhouses were always built by creating a loan, and that the appropriation was for repairs of buildings only. If an appropriation was exhausted, and there was an exigency for more money, if he had any influence he would vote for it cheerfully, on good reasons being given for it.

Mr. Rich of Ward Fourteen stated that the question was simply that of the acceptance of the report of the Committee, and it seemed to him that the discussion of the Committee on Paving was premature. He wished for additional information, and he hoped the report would be accepted and the order referred as recommended.

Mr. Nelson of Ward Nine referred to the condition of Columbus avenue, as evidence of work absolutely necessary to be done on streets where teams are driven upon the sidewalks.

The Chair stated as the position of the question, that a request came from the Committee on Paving, which was referred by the Board of Aldermen to the Committee on Finance. The Council

referred it to the Committee on Streets, and they now recommended its reference to the Committee on Finance, and if the report was accepted and adopted, it would be in concurrence, except that the subject would go to the Committee on Finance with instructions.

The motion to accept and adopt the report was carried.

In answer to Mr. Ingalls, the chair repeated that the report would go to the Committee on Finance with instructions.

On motion of Mr. Richards of Ward Eight, it was voted that when the Council adjourns, it adjourn to two weeks from tonight, at 7½ o'clock.

Mr. Jacobs of Ward Five moved to take from the table the report of the Committee on a site for a Lunatic Hospital. Lost, 17 to 21.

Mr. Ingalls of Ward Twelve offered the following order:

Ordered, That the Board of Directors for Public Institutions be requested to give the City Council their opinion in writing as to which is the best site for a Lunatic Asylum—Breed's Island, the Codman estate, or the Winthrop farm.

Mr. Nelson of Ward Nine inquired if it was not known that the Directors were in favor of the location at Winthrop.

Mr. Ingalls said he did not care; he wished to have the opinions of the Directors, and then the Council would be able to judge which had the most weight.

The order was passed.

Mr. Rich of Ward Fourteen offered an order authorizing the Committee on Lamps, Bells and Clocks to place a clock on the Methodist Church on Winthrop street, in the Highlands.

In explanation, he said he offered the order at the request of the Committee, the appropriations being exhausted, and with the wish that provision may be made for it in the Council.

The President ruled the order out of order, as not being within the province of the Council, and suggested that there was no motion before the Council, but that the gentleman of Ward Fourteen might proceed with his remarks by universal consent, which was granted. Mr. Rich then referred to the fact that such clocks had been put up in Ward Three and other parts of the city.

As debate was about to spring up on the motion, the Chair again ruled the order inadmissible, and that debate was out of order.

The Council adjourned to Thursday evening, November 26th.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, NOVEMBER 15, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

*Fire Department.* Royal A. Kimball, Hook and Ladder Co. No 1; Frank Wheeler, driver Hose Co. No. 2; Thomas Jennings, driver Hook and Ladder Co. No. 4.

PETITIONS PRESENTED AND REFERRED.

D. G. Haskins and others, trustees, that the vote of the City of Roxbury, to straighten the line of Warren street, in 1856, be reaffirmed.

Isaac Pratt, Jr., and others, that Federal street be widened at No. 91.

George C. Beckwith and others, for a revision of award of damages for land taken on Pearl place.

P. O'Beirne and others, that Circuit street be laid out as a public way.

Severally referred to the Committee on Streets.

P. W. Chandler and others, for a new sewer in Devonshire street, near State street. Referred to Committee on Sewers.

Josiah M. Thing, for reappointment as a Constable. Referred to Aldermen White, Fairbanks and Bradlee.

Job. T. Cole, for leave to erect a stable at No. 90 Silver street.

Ivory Harmon, for leave to build a stable for two horses on Perrin street.

Isaac Fenno, for leave to build a stable for three horses on Warren street and Walnut avenue.

Michael Killian, for leave to build a stable on Parker place.

Severally referred to the Committee on Health.

Elizabeth G. Phelps, for a remission of tax assessed upon her as administratrix of estate of Sewell Phelps. Referred to Joint Committee on Assessors' Department.

Andrew Foley and others, that Woodbine street be lighted.

Allen Avery and others, that Sterling street be lighted with gas.

Stephen Fitzgerald and others, that lamps be placed and lighted in Lawrence street, between Dartmouth and Clarendon streets.

Severally referred to the Committee on Lamps.

Edwin A. Forbes, that his pawnbroker's license may be restored to him. Referred to Committee on Licenses.

Daniel Davies, for leave to remove a tree from sidewalk of 91 Charles street. Referred to Committee on Common, &c.

Boston & Albany and other railroad companies in Suffolk county, that the Board would examine their bridges. Referred to Committee on Bridges.

Lewis Currier and others, for a wooden sidewalk on Warren avenue, south side.

John Simmons, to be paid for grade damages on Water street.

R. B. Leuchars and others, that Chandler street be graded, &c.

Earl W. Johnson, to be compensated for damages caused by change of grade in Devonshire street.

Charles E. Jenkins and others, that Chandler street, between Dartmouth and Clarendon streets, be graded, &c.

C. W. Freeland and others, that Devonshire street be renumbered.

Severally referred to the Committee on Paving, the last with full powers.

NOTICES OF INTENTION TO BUILD.

M. Ventriss, corner of Oliver and Broad streets; C. J. Spenceley, Sawyer street; B. Thayer, corner of Jefferson and Fayette streets; James Gibson, Cooper street, near Salem street; M. S. Dix, rear 1015 Washington street; Michael Killian, Parker place; J. Sears & Son, Fourth street, between G and H streets; H. B. Stratton, Third street, and Bolton street, between A and B streets; F. A. Schell, South street; J. T. Watson, Fourth street, between K and L streets; John Ring, corner of G and Third streets; Tolman & Hunting, 22 and 24 Exchange street; Frame & Jordan, Brooks street between Lexington and Trenton streets; and Eustis street, between Brooks and Marion streets; J. L. Bowers, Woodward street, opposite Glover street; J. & T. A. Burkhardt, Hyde street; Wm. Sayward, Sterling and Windsor streets, schoolhouse; Honeywell & McMahon, Cabot street; Stephen Connolly, 16 and 18 Broadway; Sturgis & Brigham, corner of Beacon and Clarendon streets; J. F. Cole, Silver street, between B and C streets. Severally referred to the Committee on Streets.

METROPOLITAN RAILROAD LOCATION.

A communication was received from the Metropolitan Railroad Company accepting the 22d location granted to that Company, it being the location in Temple place, between Washington and Tremont streets. Ordered to be placed on file.

REQUEST FROM TRUSTEES OF THE PUBLIC LIBRARY.

The following communication was read from the Trustees of the Public Library:

BOSTON, Nov. 15, 1869.

*To the Honorable the Mayor and City Council:*

In view of the noble donation to this institution of the Tosti collection of engravings, by Thos. G. Appleton, Esq., I am directed by its Board of Trustees to respectfully ask for a further appropriation of $3000 for the purpose of preparing the collection for public exhibition and for suitably arranging for its preservation.

It is desired that $2000 of the sum be added to the present appropriation for salaries, to cover the expenses of labor, cataloguing and other clerical work. Yours, very respectfully,

WM. W. GREENOUGH,
President Trustees Public Library.

Referred to the Committee on Public Library.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the order of notice on the proposed assessment of betterments upon estates, in the widening of Federal street from Summer street to First street, was taken up. No person appearing, the order was recommitted.

The hearing on the proposed widening of Matthews street was considered, and no person appearing, the order was recommitted.

The hearing on the orders on the petitions for building stables, as follows, was considered: E. Wright, Norfolk avenue; D. P. Nichols, rear of Alpine street; C. E. Draper, Bower street; E M. Watson, Walnut park. No objection was made, and the orders were recommitted.

LAYING OUT OF CLIFFORD STREET.

The hearing on the proposed laying out of Clifford street was taken up, when a remonstrance was presented from H. P. Gerrish and others against the proposed plan of laying out said street.

Geo. O. Shattuck appeared for remonstrants, and stated as their reasons for the remonstrance, that as they understood the proposed grade it was objectionable to them. Several of the abutters lived on an elevated portion of the street, and if cut down as proposed, it would injure the value of their property. They don't desire damages, and therefore object to the acceptance of the street on the change of grade proposed. He hoped the report would be referred to the Committee, that the plans may be presented to the remonstrants.

George Davis stated that he owned a house on the north side of the street, about fifty yards from Warren street. His house was on the down-hill side, and he understood the proposition was to raise the street at his house two feet, which would take it to the sills of the house, and damage his premises. When he built he supposed the grade was to remain as it is, and he could see no reason for a change of grade. If raised, as proposed, he should be damaged, and he had ascertained from an expert, that it would cost $1000 or $1200 to raise his house to the new grade. There was a depression below his house where a pool of water collects, and he had no objection to straightening the surface of the street. That was all which he believed to be necessary.

William H. McIntosh said he was told when he purchased his land that the design was to cut down the hill one foot and a half. By cutting it down three and a half feet, it would be necessary to cut down several of the estates, and that of Mr. Gerrish would be seriously injured. By the order of notice it appeared that it was designed also to widen the street and tax the abutters for the betterment. He would like to know the ground of

the charge for betterment. If it was intended to fill up Grove Hall avenue to make it conform more to the grade of Clifford street, it would bring more teaming over that street, to which he objected. When he built there it was because it was a quiet street.

The report was recommitted.

EXTENSION OF WASHINGTON AND PORTLAND STREETS.

The order of notice on the proposed extension of Washington street to Haymarket square was taken up.

H. W. Suter said he appeared for several parties, who made no objection to the extension of the street, but wished simply to preserve their rights by their appearance, in the matter of damages and assessments for the improvement.

H.W. Bragg appeared for George W. Berry, and Francis P. Brown for Mary E. Bird, for similar reasons.

The report was recommitted.

On the proposed extension of Portland street to the extension of Washington street, a remonstrance was read from Alexander and Arthur M. Thomas, as agents of the estate of Samuel Whitwell, With the extension of Washington street, they believed the facilities for travel would be such as not to require the sacrifice of private property in the proposed extension of Portland street. It was not required, was not advisable for the public good, and to appropriate private property for such a purpose would be an injustice to them.

John J. Rayner and B. F. Edmands, in behalf of the estate of the late John Rayner, referred to the cutting off of their estate by the widening of Hanover street and the extension of Washington street, and by this measure another portion would be taken. While they were not disposed to object to improvements they wished to preserve their rights in the case.

The report was recommitted.

On the order of notice on petition of E. & G. G. Hook, for leave to put up and use a steam engine in connection with their manufactory on Tremont street, a remonstrance was presented against granting the petition, from Wm. Clark and sixty-two others. The remonstrance was referred to the Committee on Steam Engines, and the report was recommitted.

Wm. Gaston appeared for petitioners and J. M. Keith for remonstrants.

SEWER ASSESSMENTS.

Assessments for sewers, were laid before the Board, as follows:

For sewers on Dale, Oakland, Thornton, Cedar and Hawthorn streets, amounting to $8136 16.

Sewer on Guild row, $529 04.

Severally referred to the Committee on Sewers.

UNFINISHED BUSINESS.

Resolve and order to widen Parker and Heath streets, by taking 9402 square feet of land belonging to Warren Fisher, at an expense of $1410 30. Read a second time and passed.

Resolve and order to widen Federal street, on its easterly side, between High and Purchase streets, by taking 1447 square feet of land owned by Thomas Sprague, at a cost of $27,811, also a small parcel of land belonging to a person or persons unknown, at no expense.

Alderman Talbot stated that the committee had tried to make an amicable agreement for this land, but had failed, and had reported what they believed to be its fair value. An effort was made to put the matter off to next year, to see what the Hartford & Erie Railroad were going to do.

Alderman Pratt inquired if the widening was on the square, fronting Summer street.

Alderman Talbot replied that it was not, but was between High and Purchase streets. Another cutting off below would be necessary to make the thing complete.

The resolve and order were read the second time and passed.

The report to pay James M. Gardiner $8000 for fire alarm patents was considered.

Alderman Talbot said the committee, on considering the subject of the claim for the use of the patent in Roxbury, made a proposition to include its use in Dorchester also, and they agreed to the payment of $8000 for the use in both places. The committee were unanimous in their opinion that the claim was a just one, that the sum was not a large one, at least, and there was no reason why it should not be paid. The suggestion was made at the last meeting of the Board, that the committee should go further and provide for its use under further contemplated annexations of territory. That did not strike them as of much consideration. Other towns and cities may use the patent themselves and this city may obtain it in that way. The royalty was lower than in other cities. In answer to a question, he said the patent covered all but the reverse currents, for which the city had to pay somebody else.

The order was passed, by a vote of 10 yeas; 1 nay —Alderman Richards. Absent—Alderman Fairbanks.

PAPERS FROM THE COMMON COUNCIL.

The request of the Committee on Paving, for $200,000, coming up with an order for Committee on Finance to provide for $100,000 to be used only in keeping streets in repair, the proviso was first concurred in, and the reference was made in concurrence.

The order for Board of Directors for Public Institution to give their opinion in writing on the several sites proposed for a new Lunatic Hospital, was considered.

Alderman Talbot said the Board of Directors had already given their opinion on this subject, but he had no objection to the concurrence.

The order was concurred in.

A request from the School Committee for free passes over the ferry for deaf mutes attending their school, was referred to Committee on Public Instruction, in concurrence.

The order authorizing a contract with Chamberlin & Marston, for carpentry work on grammar schoolhouse in Ward Fourteen, was passed in concurrence, Alderman Richards stating that one of the members of the firm was connected with the City Government, making it necessary to pass the order before the contract could be made.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of the petition of Augusta Endres for leave to give a concert in Tremont Temple, Nov. 20; also of H. J. Marie, to give an entertainment at the Olympic Theatre, Nov. 18, and of H. Newcomb, to give a concert at Music Hall, Nov. 26. Severally accepted.

Alderman White also reported licenses to twelve newsboys; and licenses as victuallers, innholders, billiard saloons, intelligence offices, wagon licenses, and transfer of wagon licenses. Severally accepted.

Alderman Hawes, from the Committee on Steam Engines, on the petition of Richard Meagher, for leave to run a steam engine at No. 31 Way street, reported in favor of granting said petition on condition that the chimney be raised to a height of at least 75 feet above the sidewalk. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build; and no further action necessary on petition of Margaret Sullivan to be paid for leasehold damages, the petitioner having been settled with. Accepted.

Alderman James, from the Committee on Paving, to whom was referred the petition of Henry D. Hyde and others, that cesspools be constructed and crossings be laid on Columbus avenue, and said avenue be put in passable condition, made a report that Columbus avenue was laid out as a public street, Oct. 26, 1869, that there are now no cesspools for drainage of surface water, no crossings to enable the residents to pass from one side of the street to the other, and that the roadway is in extremely dangerous and unfit condition for public travel.

The Committee are of opinion that the street should be immediately put in good and safe condition for public travel. They therefore recommend the passage of the accompanying order:

Ordered, That the Superintendent of Streets be, and he is hereby directed to construct the necessary cesspools and crosswalks on Columbus avenue, between Berkeley and Northampton streets, and to do such grading, gravelling, &c., on said avenue as may be necessary to put the same in good and safe condition for public travel, at an estimated cost of $16,000. Read twice and passed.

Alderman James, from the Committee on Paving, to whom was committed the petition of L. Prang & Co. and others for the removal of the useless track of the Metropolitan Railroad Com-

pany on Washington street, between Eliot square and Pynchon streets, reported the following order:

Ordered, That notice be and hereby is given to the Metropolitan Railroad Company to remove within twenty days from the passage of this order, the tracks of said company on Washington street, between Eliot square and Pynchon street, and to place said street in as good condition as it was before said tracks were laid down.

Accepted, and order passed.

Alderman James, from the same Committee, to whom was referred the petition of James Milmore, that Cabot street, between Tremont and Ruggles street, be graded so that water pipes may be laid down, made a report that the petitioner has erected upon Cabot street a block of five brick houses upon the established grade of said street, which is about three feet above the present surface of the street; that owing to this fact the Water Board have declined to furnish him with water until the street shall be filled to the established grade, and that unless this is done, the houses will remain empty and unproductive of rent to the petitioner.

The Committee believe that the city is bound to fill up and grade the public streets as fast as houses are erected upon them; they therefore recommend the passage of the following order:

Ordered, That the Superintendent of Streets be directed to raise and grade Cabot street, according to the established grade of said street, at an estimated cost of $4000.

Read twice and passed.

The Committee on Paving also reported on petition of John R. Mullin and others for a cesspool at the corner of Harrison avenue and Pine street, that the petition ought to be granted. Accepted.

WIDENING OF ELIOT STREET.

Alderman Talbot, from the Committee on Laying Out and Widening Streets, made a report in print, providing for the widening of Eliot street, on its southerly side, between Washington and Pleasant streets, by taking land of sundry parties specified, concluding with the following orders, which were read once:

Ordered, That the parcels of land before described be and the same hereby are taken and laid out as a public street or way of the said city—according to plans numbered one, two and three of the said widening, made by Thomas W. Davis, City Surveyor, dated Oct. 26th, 1869, and deposited in the office of the said City Surveyor. And this Board doth adjudge that the expense of widening the said Eliot street, as aforesaid, will amount to three hundred and forty-one thousand seven hundred seventy-nine and 50-100 dollars; and that the damages to the estates, parts of which are taken as aforesaid, are the sums set against them respectively on the schedule hereto annexed.

Ordered, That the Treasurer be, and he hereby is, authorized to borrow, under the direction of the Committee on Finance, the sum of three hundred and fifty thousand dollars, the same to be appropriated for the widening of Eliot street, between Washington and Pleasant streets.

ORDERS OF NOTICE.

On the proposed acceptance of Zeigler street, the old order of Oct. 4 being rescinded. Hearing Monday, Nov. 29, 4 P. M.

On the proposed assessment of the entire cost of the widening and grading of Oliver street upon the abutters, under the act of April 27, 1865. Hearing Monday, Nov. 29, 4 P. M.

On the proposed extension of Shawmut avenue, fifty feet in width, from Vernon street to Washington street, and the widening of said street between Washington street and the estate of Mrs. F. L. Stockman. Hearing Monday, Nov. 29, 4 P. M.

On the proposed laying out of Spring Street place. Hearing Monday, Nov. 29, 4 P. M.

On the proposed widening of Hanover street at its junction with Court street. Hearing Monday, Nov. 29, 4 P. M.

ORDERS PASSED.

On motion of Alderman Seaver,

Ordered, That the Committee on Police be authorized to appoint a suitable person for special duty at the City Prison under the Court House, and for his services he shall receive the same compensation allowed to patrolmen in the police department, to be charged to the appropriation for police.

On motion of Alderman Baldwin,

Ordered, That the sum of $30 82 be abated from an assessment levied upon George Taylor for a sewer in Winthrop street, and that the same amount be assessed upon Dudley Hubbard.

Ordered, That the Superintendent of Sewers be directed to construct a common sewer in Kendall street, and report a schedule of the expense thereof to this Board, pursuant to law.

On motion of Alderman White,

Ordered, That the Superintendent of Health be and he is hereby directed to deliver to Messrs. Hasec & Pratt fifty loads of ashes, more or less, on Maverick street, and fifty loads, more or less, to Thomas Toomey, on London street, and that the same be charged to the parties above mentioned.

On motion of Alderman James,

Ordered, That the Board establish the revised grade of Congress square and Exchange place, as shown on a plan and profile made by the City Surveyor, dated Oct. 11, 1869, approved by the Committee on Paving and deposited in the office of City Surveyor.

On motion of Alderman Talbot,

Resolve and order for the widening of Matthews street, on its northerly side, at the corner of Leather square, by taking a parcel of land, containing fifty-three square feet, belonging to Samuel S. Arnold, at a cost of $357 75.

Resolve and order for the laying out of Linwood street from Highland to Centre street, by taking land of city of Boston, and for the grading of said street, at an expense of $350.

Resolve and order for the laying out of Highland avenue, by taking land of the city of Boston, and for the grading of said street, at an expense of $250.

On motion of Alderman Talbot,

Ordered, That there be paid to John Morrissey the sum of $7100 for land taken and damages occasioned by the widening and grading of Purchase street, and by the laying out and grading of Hartford street, by resolves of July 23, 1869, including proceeds of sale of old materials on his estate by the city, the expense to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to the heirs of Sarah Holmes $18,000 for their estate, purchased in the settlement of damages occasioned by the laying out and grading of Sturgis street, by an order of Nov. 5, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to G. H. & J. G. Leman $3000 for damages occasioned by the grading of Purchase street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Daniel Sheehan $7000 for his estate No. 146 Purchase street, purchased in the settlement of damages occasioned by the widening and grading of that street, by an order of Nov. 5, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Anna Desmond $7500 for her estate No. 134 Purchase street, purchased in the settlement of damages occasioned by the widening and grading of that street, under an order of Nov. 5, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be purchased in the settlement of damages occasioned by the laying out of Hartford street, of the heirs of Richard D. Harris, their estate numbered 2, on Hartford place, for the sum of $10,000, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to William Boyle $19,000 for his estates Nos. 3 and 4 Hartford place, purchased in the settlement of damages occasioned by the laying out and grading of Hartford street, by an order of Nov. 5, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to the heirs of David W. Bradlee the sum of $2810 60 for damages occasioned by the grading of Washington square, by a resolve of July 23, 1869, and for the net proceeds of sale of old materials on the estate by the city, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Samuel S. Arnold the sum of $357 75, for land taken and damages occasioned by the widening of Matthews street, by a resolve of this day, the same to be charged to the appropriation for laying out and widening streets:

Ordered, That there be paid to Linus B. Comins the sum of $2000 in full compensation for all damages done to his estates on Shawmut avenue and

Ruggles street by the raising of the grade of said streets, upon his proving his title to said estates to the satifaction of the City Solicitor, and upon his giving to the city an acquittance and discharge for all damages, costs and expenses on account of the raising of the grade of Shawmut avenue and Ruggles streets, the same to be charged to the appropriation for paving.

FIRE ALARM PATENTS.

Alderman Pratt moved a reconsideration of the passage of the order to pay James M. Gardiner $8000 for fire alarm patents, for the purpose of allowing the Alderman who voted against it to give his reasons for his vote.

The motion was carried.

Alderman Richards said he gave his reasons very fully at the last meeting of the Board. Knowing the persistency of Dr. Channing, the inventor, to induce the city to adopt his fire alarm, he was opposed to this payment, and suggested to the Committee when the matter was up before, that they should provide for the further use of the patent in the territory which may be made to the city by annexation. The Committee did not see fit to do so, and he voted against the order. As a member of the City Government when the fire alarm was put up, he knew that the city paid a large amount for experiments in perfecting the system, and this was continued until it was a complete success, when it was introduced into other cities. He did not wish to influence the vote of any Alderman, but voted as he believed he should.

Alderman Pratt wished to understand the equity of the case, and why we should pay away $8000. Although it was not a large sum of money, it was still so large that it ought not to be paid away unless equity required it.

Alderman Talbot said his reasons were fully given in the report of the Committee. The Committee were unanimous in their opinion that the claim was a just one, and that there would be a saving of $1500 in putting up of the wires, and they believed the agreement to include Dorchester in the payment of $8000 was a reasonable one. The patents will expire in two or three years, but there is little doubt they will be renewed.

Alderman Pratt said there was a difference of opinion between the Chairman of the Committee on Claims and the Chairman of the Committee on Fire Alarms. He wished to know why, in the judgment of the Chairman of the Committee on Fire Alarms, this claim should not be paid. Here were two diametrically opposite opinions, and he did not wish to vote for allowing the claim, if we were not compelled to pay it. He hoped the Alderman would give the ground of his objection to voting against the order, if he has examined the contract as a member of another committee.

Alderman Hawes hoped that the order would be referred to the Committee on Fire Alarms.

Alderman Richards hoped no such reference would be made. He had made no examination of the subject as a member of that committee, and voted only in accordance with his individual opinion. It was not from an examination of the contract that he was led to vote, but as long as the committee proposed to allow the claim, he thought that they should provide for the completion of the matter in the use of the patent in all future territory of the city. He had a right to vote other than as a chairman of a committee, and did not wish to influence the votes of others. He had been informed just now that the fire alarm had been put up in Milwaukee, with sixty miles of wire and seventy boxes, more than there was on this territory, at an expense of only $13,000.

Alderman Baldwin, in reply to Alderman Richards, said that the price paid by this city was less than the regular price charged to other cities.

Alderman Richards said if it were so, it was not so in the case of Milwaukee.

Alderman Talbot stated that in making contracts for the introduction of the fire alarm, they were usually the results of compromise, but in the extension they were not compromised, but charged full price. It may have been as stated in Milwaukee. It would cost the city of New York $400,000 for the fire alarm. If the gentleman went to law with this city, he did not doubt he would get much more than the sum agreed to be paid.

Alderman Pratt said if the parties had rights under their patents, he had no objection to paying them.

The question was taken on the order and it was again passed by the same vote—yeas 10, nays 1.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## NOVEMBER 22, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at 4 o'clock, Mayor Shurtleff presiding.

APPOINTMENT MADE AND CONFIRMED.

Constable—George W. Decatur.

PETITIONS PRESENTED AND REFERRED.

James H. Beal, that his assessment of betterment for widening Devonshire street he apportioned.

Geo. P. Upham, for apportionment of betterment assessment for widening Devonshire street.

Thos. H. Russell, trustee, ano others, and Thos. B. Hall and others, trustees, for apportionment of assessment for Devonshire street widening.

John C. Haynes, for apportionment of betterment on estates in High street.

Timothy H. Carter, for apportionment of his Devonshire street and Spring lane assessments.

Thos. Connelly, for a reconsideration of the award of damages for laying out of Sixth street.

Severally referred to the Committee on Streets.

R. G. Dayton and others, for a modification of the conditions of sale of land on Harrison avenue, Albany, Dover and Bristol streets. Referred to the Committee on Public Lands.

Metropolitan Railroad Co., for leave to extend their location through Dover, Albany, Lincoln and Summer streets.

Isaac S. Burrell and others, for removal of tree from Washington street, near Shawmut avenue.

M. J. Putney, for leave to move a stable and reoccupy the same at the corner of Lucas place and Village street.

Severally referred to the Committee on Paving.

Franklin Williams and others, that a gas lamp be placed in Renfrew street, near Renfrew place. Referred to the Committee on Lamps.

James L. Miller, for leave to build a stable on Middle street. Referred to the Committee on Health.

NOTICES OF INTENTION TO BUILD,

L. M. Burgess, 19, 21, 23 Boylston street; George E. Clark, Preble street; William N. Abbott, 44 Portland street; J. L. Miller, Middle street, near Federal street; S. M. Shepleigh, Chandler street, near Clarendon street; Timothy Lyons, Tremont street, near Francis street; James Milligan, Ontario street; O. M. Wentworth, corner of Beverly and Travers streets; JamesLaughlin, corner of Heath and Centre streets. Severally referred to the Committee on Streets.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the proposed widening of Bedford street at the corner of Lincoln street was taken up. No person objecting, the report was recommitted.

The hearing on the proposed widening of Summer street from High to Federal street was taken up. No person objecting thereto, the report was recommitted.

The hearing on petition of J. M. Pinkerton, for assessment of damages for land taken by the Boston & Albany Railroad Company, was postponed by agreement of parties to Monday next.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Ordered, That the Superintendent of Streets be directed to grade and pave Congress square and Exchange place, according to the revised grade, at an estimated cost of $2500.

Ordered, That the Superintendent of Streets be directed to set the edgestones and pave the sidewalks on Ferdinand street, also to pave the roadway of said street with small granite blocks—the expense thereof to be charged to the Church Street Appropriation, at an estimated cost of $13,000.

WIDENING OF ELIOT STREET.

The resolve and order (City Doc. 102) to widen Eliot street, and for a loan of $350,000 to meet the expense, was considered.

Resolve to widen Eliot street, from Washington street to Pleasant street, by taking land as follows:

Caroline M. Dehon's heirs, 1094 feet, corner of Washington street, $22 per foot—total damage $35,768; common passageway, 98 feet, no cost; Mrs. Eliza G. Weld, A. T. & F. A. Hall, trustees, No. 12, 309 feet, $11—$8299; John A. Bates, No. 14, 303 feet, $9—$7027; Maria M. Simpson and others, No. 16, 319 feet, $9—$7871; owners unknown, passageway, 63 feet; Daniel N. Pickering, No. 18, 331 feet, $9—$7279; Mary, wife of James Dennie, No. 20, 323 feet, $8—$6884; F. W. G. May, guardian, No. 22, 323 feet, $8—$7084; Joseph Hay, No. 24, 323 feet, $7—$6561; Charles A. Welch, No. 26, 325 feet, $7—$7275; Wm. J. Stuart, No. 28, 318 feet, $8—$6944; George S. Winslow, No. 30, 339 feet, $8—$7112; George Elz, No. 32, 340 feet, $7—$6780; Charles H. Bacon, No. 34, 271 feet, $8—$5968. Charles H. Bacon, corner of Tremont, 1277 feet, $17—$25,209; Jonathan Patten's heirs, No. 56, 443 feet, $9—$7887; common passageway, 126 feet; Wm. Holmes, trustee, No. 58, 439 feet, $7 50—$8392; Mary L. Jennison, No 2 Carlton place, 368 feet, $6 50—$4092; Mary L. Jennison, Carlton place, 159 feet, $6 50—$1033 50; do. No. 1 Carlton place, 370 feet, $6 50—$4105; Amor Hollingsworth, Nos. 60 and 62 Eliot street, 703 feet, $7—$7271; Cornelius Cowing, No. 64, 613 feet, $7—$12,691; passage-way, 110 feet, Robert B. Brigham, Nos. 68 to 74, 1677 feet, $8—$19,616; F. S., J. B. & G. W. Simonds, trustees, Nos. 76 and 78, corner of Warrenton, 727 feet, $7—$8889; John McDonald, Nos. 80 and 82, 427 feet, $6 50—$8975 50; Mary McDonald, Nos. 84 and 86, 418 feet, $6 50—$8917; Cornelius O'Brien, Nos. 88 and 90, 496 feet, $6—$9526; do. Nos. 92 and 94, 531 feet, $6—$9786; do. corner Carver street, 618 feet, $9—$13,262; Rosina, wife of John Leukhardt, No. 34, 6½ feet, $6—$200; Wm. Sohier, No. 96, corner of Carver street, 904 feet, $9—$15,136; Marcus Masse, Nos. 98 and 100, 396 feet, $7—$7277; passage way, 78 feet; Charles Hyneman, Nos. 102 and 104, 396 feet, $6 50—$8174; G. & J. W. Page, No. 106, 396 feet, $6 50—$8174; Hannah, wife of Lemuel Clark, No. 108, corner of Pleasant street, 1538 feet, $11—$22,318.

The total number of feet of land taken in the proposed widening is 18,295½—value of land $168,314 50; value of buildings before widening $181,000; value after widening $50,400; value of old materials to be cut off $8950; damage to buildings, owners and occupants $173,464; total amount of damages $341,779 50.

Alderman Talbot stated that this measure was reported by the committee on instruction by the Board, and the estimates were believed to be as near correct as it was possible to make them. Personally he should not have reported in favor of the widening at the present time, and he was somewhat in doubt whether to vote in favor of it. The matter was, however, before the Board, and was one of opinion, upon which the members would judge. It was certain that the widening ultimately must be done, but he had thought that it might be delayed a year or two without any disadvantage.

The resolve and orders were passed by an unanimous vote, the orders being as follows:

Ordered, That the parcels of land before described be and the same hereby are taken and laid out as a public street or way of the said city—according to the plans numbered 1, 2 and 3 of the said widening, made by Thos. W. Davis, City Surveyor, dated Oct. 26, 1869, and deposited in the office of the said City Surveyor. And this Board doth adjudge that the expense of widening the said Eliot street, as aforesaid, will amount to three hundred and forty-one thousand seven hundred and seventy-nine dollars and fifty cents; and that the damages to the estates, parts of which are taken as aforesaid, are the sums set against them respectively on the schedule hereto annexed.

Ordered, That the Treasurer be, and he hereby is, authorized to borrow, under the direction of the Committee on Finance, the sum of three hundred and fifty thousand dollars, the same to be appropriated for the widening of Eliot street, between Washington and Pleasant streets.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of the petition of Post 15, G. A. R., for leave to give a concert at the Music Hall, Nov. 27th; also on petition of the Tenney Dramatic Association, for leave to exhibit dramatic performances in Mercantile Hall. Severally accepted.

Alderman White also reported licenses to two newsboys and sundry persons to keep billiard saloons, dealers in second-hand articles, for a hack stand, and as a victualler. Severally accepted.

Alderman White, from the Committee on Health, reported favorably on petitions for leave to build stables, as follows:

C. Wright & Co., Norfolk avenue; D. P. Nichols, rear Alpine street; C. E. Draper, Bower street; E. M. Watson, Walnut park. Severally accepted.

Aldermen Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Seaver, from the Committee on the Market, reported in favor of the transfer of the lease of Stall No 3 Faueuil Hall Market, held by C. S. Drury. Accepted.

Aldeman Fairbanks, from the Committee on Sewers, reported that the several orders for sewer assessments of $529 04 for sewer in Guild row, and $8136 16 for sewers in Dale, Oakland, Thornton, Cedar and Hawthorne streets, were correct, with orders for the collection of the same. Report accepted and orders passed.

Alderman James, from the Committee on Common and Squares, on the petition of Daniel Davies, reported that he have leave to cut down a tree in front of No. 91 Charles street, at his own expense. Accepted.

Alderman James, from the Committee on Finance, to whom was referred the report of the Committee on Paving, asking for an additional appropriation of $200,000, with instructions of the City Council that a sum not exceeding $100,000 be provided for the completion of old works and keeping the streets in proper repair, made a report, with the accompanying order, in accordance with said instructions:

Ordered, That the Auditor of Accounts be authorized to transfer from the Reserved Fund to the appropriation for paving, &c., the sum of $100,000 for the completion of work already commenced or which cannot be avoided in keeping the streets in proper repair.

Report accepted and order read twice and passed.

ORDERS OF NOTICE.

On the several petitions for leave to erect stables as follows: Isaac Fenno, on Walnut avenue and Warren street; Michael Killan, Parker place; Job T. Cole, No. 90 Silver street; Ivory Harmon, Perrin street. Hearings Monday, Nov. 29, 4 P. M.

On the proposed widening of Warren street, at the corner of Dudley street. Hearing Monday, Dec. 6, 4 P. M.

On the proposed widening of Federal street, west side, near Franklin street. Hearing Monday, Dec. 6, 4 P. M.

On the proposed laying out of Marlborough street, from Berkeley street to Dartmouth street. Hearing Monday, Dec. 6, 4 P. M.

WARRANT FOR CITY ELECTION.

On motion of Alderman Talbot,

Ordered, That warrants be issued for meetings of the legal voters of this city in their several wards on Monday, the 13th day of December next, at 8 o'clock, A. M., then and there to give in their ballots for a Mayor and twelve Aldermen, all of whom to be inhabitants of this city; also for a Warden, Clerk, five Inspectors of Elections, four members of the Common Council, and two members of the School Committee to serve three years; also to notify the voters of the following named wards to fill vacancies in the School Committee, viz.:

Ward Three, one member in place of Samuel H. Winkley, resigned.

Ward Four, one member in place of Edward D. G. Palmer, deceased.

Ward Six, two members in place of Calvin G. Page, deceased, and Linus M. Child, resigned.

Ward Nine, one member in place of Charles W. Storey, resigned.

All of the foregoing to be voted for on one ballot.

Also to notify the legal voters of Ward Sixteen to assemble at their wardroom at the hour above mentioned, then and there, first, to choose a Warden, Clerk, and five Inspectors of Elections to hold their offices until the first Monday in January, 1870; second, to give in their ballots for a Mayor, twelve Aldermen, two members of the School Committee to serve three years, two members to serve two years, and two members to serve one year, from January 10, 1870; also for four members of the Common Council, a Warden, Clerk and five Inspectors of Election—all the officers mentioned in the second clause to be voted for on one ballot.

The polls to be kept open until 4 o'clock P. M.

ORDERS PASSED.

On motion of Alderman Seaver,

Ordered, That the Chief of Police be authorized to employ Mr. Henry N. Follansbee as an assistant clerk to the Police Department, at three dollars per diem, to be charged to the appropriation for police.

Alderman Seaver, in explanation of the order, stated that Mr. Follansbee lost his leg in the employment of the city, in Roxbury, and has been employed the past year in the Assessors' Department. The Chief of Police has a plenty to do, and he can well be employed in that office.

Ordered, That there be allowed and paid a sum not exceeding $1500, for building a boat house for the harbor police—said amount to be charged to the Appropriation for Police.

On motion of Alderman James,

Ordered, That there be transferred from the Reserved Fund to the appropriation for Common and Public Squares the sum of $4000, to be expended in grading the promenade on Commonwealth avenue, between Berkeley street and Clarendon street.

Ordered, That Purchase street, between Broad Street and Oliver street, be closed against public travel until the grading of Fort Hill shall have been completed.

Ordered, That the Chief of Police be and he is hereby directed to notify John D. W. Joy, owner of an estate on the southwesterly corner of Tremont and Dwight streets, forthwith to close up and make solid the bulkhead recently built in the sidewalk in front of said estate on Dwight street, and in default thereof the Superintendent of Streets is hereby directed to cause said bulkhead to be closed up, and made solid, at the expense of the owner thereof.

On motion of Alderman Richards,

Ordered, That the Ward Room of Ward Sixteen be established until otherwise ordered at the Town Hall Building, Washington street, Dorchester.

On motion of Alderman White,

Ordered, That nuisances be abated in Tremont street, near Ruggles street, in Ward street, and at the corner of Coventry and Berlin streets.

On motion of Alderman Talbot,

Ordered That there be paid to the heirs of David W. Bradlee $2989 40 for damages occasioned by the grading of Washington square, by a resolve of July 33d, 1869, and for the net proceeds of sale of old material on their estate by the city, to be charged to the Fort Hill Improvement Loan; this order also rescinding an order of Nov. 15, 1869, in favor of said heirs.

Ordered, That there be paid to James W. Converse, Frederick Nickerson and Jonathan S. Nickerson $42,500, for land taken and damages occasioned by the laying out of Atlantic avenue, by a resolve of December 18, 1868, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to Charlotte L. Inches the sum of $6500 for land taken and damages occasioned by the laying out of Atlantic avenue, by resolve of Dec. 18, 1868, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to Peter Parker and Chas. F. Shimmin, trustees, the sum of $8000 for land taken and damages occasioned by the laying out of Atlantic avenue, by a resolve of Dec. 18, 1868, to be chared to the Atlantic Avenue Loan, this order rescinding an order of Nov. 2, 1689, in favor of the same parties.

Ordered, That there be paid to Charles H. Butler the sum of $5022 for land taken and damages occasioned by the widening of Hanover street, by a resolve of October 15th, 1869, to be charged to the Hanover Street Loan.

Ordered, That there be paid to John C. Haynes the sum of $11,500 for land taken and damages occasioned by the widening of High street, by a resolve of November 17th, 1868, by which 415 feet of the said land since purchased by the said Haynes was taken from Samuel N. Brown, Jr., and Henry L. Clapp, and 212 feet from the estate of said Haynes—this order to rescind the order of December 21st, 1868, the expense to be charged to the Appropriation for Laying Out and Widening Streets.

Alderman Talbot offered the following:

Resolve and order to lay out Lamartine street, from Centre strest to the boundary line between the city of Boston and the line of West Roxbury, fifty feet in width, by taking 61,878 square feet of land of Thomas Gaffield; 18,456 feet of land of Anna M. Amory, and 7321 feet of land of Isaac Curtis, D. S. Smalley, trustee, each at the rate of 15 cents per foot, and at an aggregate value of $13,148 25.

Alderman Talbot stated that Mr. Gaffield was willing to give the amount of land required for the portion of the street through his estate, in settlement for the betterment which might be assessed. The value of his land taken is estimated at $9281 70, and it is believed that the betterment to the other lands through which the street is laid will be equal to the cost of laying it out. The land of Mr. Gaffield extends three-fourths of the distance, but it was thought best to put the amount of cost in the order, and to provide for the laying out under the betterment law. The report would have been made at an earlier day, but for waiting for the authorities of West Roxbury to meet the action of the Committee in the continuation of the street. They have recently stated that they will agree to the action proposed. It is believed that the laying out of this street will be of great importance to that section of the city.

The resolve and order were passed.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## NOVEMBER 25, 1869.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of Elizabeth G Phelps for a remission of tax, and of R. G. Dayton and others for a modification of conditions on certain lands, were referred in concurrence.

The request of the Trustees of the Public Library for an additional appropriation of $3000 was referred in concurrence.

The order that the Ward Room of Ward No. Sixteen be established at the Town Hall building, on Washington street, Dorchester, till otherwise ordered, was passed in concurrence.

The following orders were severally referred to the Committee on Streets of the Common Council:

Order to set edgestones and pave the sidewalk on Ferdinand street, and pave the roadway of said street with granite blocks.

Resolve and order to lay out Lamartine street, from Centre street to the boundary line between Boston and West Roxbury, at a cost of thirteen thousand one hundred and forty-eight dollars and twenty-five cents.

Resolve and order for the widening of Federal street, on its easterly side, between High and Purchase streets, at a cost of twenty-seven thousand eight hundred and eleven dollars.

Resolve and orders for the widening of Eliot street, at a cost of three hundred and fifty thousand dollars, and for a loan of said sum, to be appropriated therefor. City Doc. No. 102, 1869.

On the first named order, Mr. Ingalls of Ward Twelve said he wished to know the reasons why the expense was charged to the appropriation for the Church street district.

The order to purchase the estate of the heirs of R. D. Harris, in settlement of damages for the laying out and grading of Hartford street, at ten thousand dollars, was referred to the Committee on Streets, on motion of Mr. Ingalls, who said it might be all right, yet he thought the Council should understand the reason for such payments.

The reference was subsequently reconsidered, on motion of Mr. Richards of Ward Eight, when the order was laid over for its second reading.

The following orders were severally read once:

Orders to pay James M. Gardner eight thousand dollars for his Patent Fire Alarm Telegraph system, and for a transfer of said amount from the Reserved Fund.

Order to transfer one hundred thousand dollars from the Reserved Fund for the completion of work commenced, or which cannot be avoided, in keeping the streets in proper repair.

The order to transfer four thousand dollars from the "Reserved Fund" to the "Common, &c.," for the grading of the promenade on Commonwealth avenue, between Berkeley and Clarendon streets, was referred to the Committee on Finance.

UNFINISHED BUSINESS.

The following orders were each read a second time and passed:

Order to purchase the estate of Alexander Isburg in settlement of damages for the widening and grading of Purchase street.

Order for a loan of twenty thousand dollars to be added to the appropriation for the widening and change of grade of Tremont street, between Boylston street and the Boston & Albany Railroad Bridge. City Doc. No. 106, 1869.

SITE FOR A LUNATIC HOSPITAL.

The following communication from the Board of Directors for Public Institutions was laid before the Council:

OFFICE OF BOARD OF DIRECTORS FOR PUBLIC INSTITUTIONS,
Boston, Nov. 23, 1869.

*To the Honorable the City Council of Boston:*

Gentlemen—The Board of Directors for Public Institutions with pleasure respond to the order of the City Council of Nov. 11, in reference to the site for a new Lunatic Hospital. The conclusions here presented are the result of careful investigations and the deliberate convictions consequent upon persistent inquiry and the most authentic information they have been able to obtain.

They have examined a large number of locations and have heretofore presented their views in communications and reports to the City Council, most of which will be found among city documents. They refer to these with confidence, and learn with great satisfaction that on the question of the necessity for a new hospital for the insane there is now no difference of opinion among those who have given the subject attention. The need for new, ample and more suitable accommodations is conceded to be imperative and most urgent. The only point now to be considered is that of the most suitable location, and in relation to this question the Directors beg leave to submit the following statement:

For nearly eight years the members of this Board have had the subject directly or indirectly under consideration. Four years ago last May, by order of the City Council, they were required to select and recommend a suitable location. They advertised, and numerous proposals were received. From the sites offered they found no difficulty in reducing the choice to one of three: Parker's Hill in Roxbury, the Codman estate in Dorchester, and Winthrop Farm in Winthrop.

In the choice of these they gave the most careful and earnest attention. After repeated examinations and mature consideration, they finally selected the estate in Winthrop. Having made their own election, they then submitted the matter to the judgment of several physicians experienced in the treatment of insanity, and were gratified to find their decision indorsed and confirmed by the best available professional opinion (see City Document No. 75, 1868, Appendix A).

Upon the report of the Directors to the Government, the purchase of the farm was ordered by the unanimous vote of the City Council, all the members having had the opportunity of personal observation.

The following are among the considerations that led to the selection of Winthrop Farm.

*Land.* This location contains one hundred and thirty acres of upland, and fifty acres of salt marsh, being amply sufficient for present purposes. The farm has been examined by competent judges and pronounced to contain a soil not excelled in Suffolk county. The entire cost was $28,000. By disposing of the marsh land at sixty dollars per acre, a very low price, the amount would be reduced to $25,000 as the cost of the Hosital site.

*Seclusion.* This farm is so situated that it can never be annoyed by settlements in close proximity. This is a particularly valuable feature in the selection of a site for an asylum for the insane, and in this respect the Winthrop site exceeds all others which have been named. The requisite quiet and seclusion can here be maintained without interruption, from its natural position. The public would escape the annoyances incident to the presence of the insane in their midst, which no care on the part of the management could prevent.

*Access.* Access will be very easy by both steam and the contemplated horse railroad. Less than one hour will be required by either method in reaching the hospital. It will be as favorably situated in this respect as either of the other sites. A wharf can also be had for the landing and storing of heavy supplies within one mile.

*Views.* The views from Winthrop farm cannot be surpassed. The landscapes are very fine, and the great and near sea view is one of rare excellence. The beneficial effect of these upon the insane is one of great value as a curative measure, and this has been long and fully demonstrated to a limited extent at South Boston.

*Future Wants.* The future needs of this community will call for a larger hospital. There are on the Winthrop farm two considerable eminences, either of which is eligible for a building site. Whenever the wants of the city shall require an

increase of accommodations, another building can be placed on the second hill, by which a separation of the sexes can be made, and thus more perfect classification be secured.

*Breed's Island.* This place is larger than desirable and will require much grading. There is also the inducement and the danger that other institutions will be placed there. This would greatly injure it as a retreat for the insane. The cost is too great, in our judgement, and the difference should be expended on the structure. All the objections that have been urged against the Winthrop farm hold equally good against Breed's Island.

*Codman Estate.* The Codman estate in Dorchester is represented to contain about sixty acres. This will be contracted in area and too expensive. Any future extension would involve a large expenditure. The mansion house increases the cost without adding to its value, for the reason that it must be removed to allow the erection of the new structure. Building improvements in that vicinity must soon encroach upon the land, and thus preclude the growth of the hospital conveniences. The landscape and marine views are far inferior to those at Winthrop. The necessary seclusion cannot be maintained, and therefore the demand for the removal of the hospital would render doubtful the permanence of the institution. The grading of the Codman estate would be more expensive than at Winthrop, and even then it would be less advantageous for a location.

The relative cost of the Winthrop estate, when compared with the others which have been recommended, proves it to be the most economical and cheapest. The Codman estate is valued at $100,000, Breed's Island at $250,000, while the Winthrop farm is already the property of the city at the moderate cost of $28,000, the great difference in cost being a matter of no little importance.

Objection has been made that the Winthrop farm is out of the city limits, and therefore liable to taxation. To this it may be answered that the institution is of a charitable nature and therefore not taxable. The town of Winthrop is liable to be annexed to this city, and propositions to that effect are already under consideration. But if so assessed in the town of Winthrop, where the entire amount of tax raised by warrant the present year is only $5218, it would be but a moiety of the amount of interest upon the cost of location at Breed's island or Dorchester.

In view of these considerations the Board of Directors, upon the most careful revision of the whole subject, see no reason to distrust their former decision, but confidently recommend the location at Winthrop as being preferable to either of the others. They advise the adoption of the plans heretofore submitted in City Document No. 94, 1867, with their unqualified approval, and in the firm belief that such action would prove in an eminent degree beneficial to the interests of the city.

Very respectfully,

J. P. BRADLEE,
GEO. W. PARMENTER,
WM. M. FLANDERS,
S. A. DENIO,
LEWIS RICE,
I. E. NOYES,
PATRICK DONAHOE,
BRADLEY N. CUMINGS,
WM. SEAVER,
NATH'L MCKAY,
WM. WOOLLEY.

A minority report was also submitted, as follows:

OFFICE OF BOARD OF DIRECTORS
FOR PUBLIC INSTITUTIONS,
BOSTON, Nov. 25th, 1869.

*To the Honorable, the City Council:*

Gentlemen,—The undersigned, a member of the Board of Directors for Public Institutions, respectfully dissents from the opinion of the other members of the Board in regard to the location of a Hospital for the Insane, and begs leave to present his reasons therefor.

The question upon which the opinion of the Board is asked is simply which of the three sites presented for the consideration of the City Council, namely; the Winthrop farm, so called, Breed's Island and the Codman estate, is the most suitable for the location of a Hospital for the Insane.

Before proceeding to pass upon any particular locality for such an institution, it is proper that we should decide upon the general qualities which any locality must possess in order to adapt it for the purposes in view.

In deciding upon these general qualities or requisites there can hardly be a difference of opinion—the difficulty lies in their application to any one locality.

Undoubtedly all would agree that the hospital should be easily accessible from the City Hall, the headquarters of those who control it. While it might not be considered absolutely necessary that such an institution should be located within the city limits, it must be regarded as an important point in favor of any site proposed that it is so located. The grounds, especially that portion on which the hospital is located, should be sufficiently elevated to secure pure air, without being too much exposed to the severity of the storms which are frequent on the New England coast a great portion of the year.

There should be a sufficient quantity of land to afford an opportunity for farming and gardening on a small scale. The land should be of a quality to be made attractive by the growth of trees, shrubs and flowers, without involving a very large expenditure of money. The view of the surrounding country should be pleasing and attractive, not calculated to depress the minds of the patients by its solitude, nor to excite them by too powerful an exhibition of the forces of nature or the activity of man.

In this connection let me quote from an article on the subject written by Dr. Ray of Providence, R. I., a gentleman of well known reputation in this department of practice (see City Document, 1863, No. 11, p. 17). He says: "It is to be hoped that we never shall be contented in any case with a bald and monotonous surface, where no tree nor shrub, no fountain nor rural arbor, no mound nor lake is allowed to add a single feature of beauty to the scene. It is a great mistake to suppose that such things are designed to please the taste of the sane members only of the establishment, and are not among the legitimate means and appliances for improving and restoring the insane."

To what extent does the site in Winthrop possess the requisites which I have named? It is not as accessible from the City Hall as Breed's Island, or the Codman estate; that portion of the site which is elevated is so much exposed to the full force of the ocean storms as to render it practically uninhabitable, without a very large expenditure of money. And when it is remembered that upon the peninsula of Nahant, directly opposite this place, it has been almost impossible, with all the care and appliances of art, to make any other vegetation but grass successful, what encouragement have we of being able to make trees grow upon this bleak, unsheltered spot?

Dr. Ray, whom I have already quoted, candidly states in another communication respecting the site (see City Document 1868, No. 75, p. 13), "If it be true that no tree can be made to grow on that site, then I have no hesitation in saying that it lacks a requisite which, if not indispensable, is one of the most desirable that a hospital for the insane can possess."

In a fine day in summer, the ocean view is undoubtedly attractive, but unfortunately, fine days are rare on the headlands along this coast. The view of Winthrop farm on almost any day between the first of November and the first of June, is enough to appal the smallest tax payer, or the individual most enthusiastic for a new hospital.

For a short time during the summer, a residence on this spot, leaving out of question the outlay of money necessary to place such an institution there, would no doubt be healthful and agreeable, but during far the larger portion of the year the patients could take less out of door exercise there than in almost any other place. During the winter season the "airing grounds" in the rear of the proposed hospital, exposed as they would be to a clear sweep of the northeast and northwest winds, would surely test the power of human endurance; and it is doubtful whether at that season such a building as it is proposed to erect could be heated so that the patients would be comfortable within doors.

Major General Foster, of the U. S. Engineer Corps, long familiar with our coast, states that this place is as much exposed as the most prominent headlands of the outer harbor, and that it will become necessary, in case hospital buildings are erected upon it, to protect the bluff by costly sea walls.

The quantity of land is sufficient and more than sufficient; but the opportunity for farming or gardening is certainly very slight. Most of the soil

is poor, a mere sheep pasture, and its exposed condition renders a very large outlay necessary to make even the hardiest plants or vegetables thrive. It would seem impossible to protect the buildings or the grounds by planting trees along the edge of the bluff, for neither trees nor shrubs have been able to stand against the fury of the northeast storms to which this place is especially exposed.

And if it be possible, by years of labor and a lavish expenditure of money, to make trees grow there, and to render the soil productive, is it not better, in view of the great need of both, to secure some other site, which already possesses these with other important requisites?

The view of the surrounding country is not particularly attractive, and the view of the ocean, except in fine weather, would tend to excite rather than sooth the unfortunate inmates of the institution.

The opinion of certain physicians familiar with the care of the insane has been much dwelt upon in connection with this location. But it should be understood that they were called upon to give an opinion upon that location alone. Visiting it for a few hours, on a fine day, seeing a large tract of land on the seashore, which on a hasty examination seemed capable of being beautified by a liberal expenditure of money, it is natural that they should regard it favorably, more especially as they were taken there for that very purpose.

It is a noticeable fact that since this important matter has been under consideration the consulting physicians of this city have never been called upon by the Board of Directors to give an opinion, and it may also be remembered that in the fall of 1867, six of a committee of seven, appointed by the Suffolk District Medical Society, on motion of Dr. Walker, and at the request of the Board, after visiting the site, gave their opinion in writing, to the Mayor, that they considered this location unfit for the purpose.

Since the subject has been more fully discussed and appreciated, a more decided opposition has been developed among the medical fraternity, and I believe that a large majority of the leading physicians in Boston are today earnestly opposed to the location at Winthrop.

Being of this opinion, I addressed a note a few days since to Dr. Charles G. Putnam, the President of the Massachusetts Medical Society, asking for his opinion, and the opinions of some of the other leading physicians in this city, on this subject, and I would ask your particular attention to the certificates annexed hereto, which I have received in answer to my requests.

In reviewing the last annual report (1868-9) of Dr. C. A. Walker, the superintendent of the Boston Lunatic Asylum, the editor of the Medical and Surgical Journal of this city, (July 22, 1869, p. 456) says: "We are constrained to say, that we do not share the regret expressed by Dr. Walker at the abandonment of the Winthrop farm as a site for a new Lunatic Hospital. On the contrary, it seems to us that if nature had furnished a place on purpose to keep away from it such an institution, the spot indicated would be the very one. Dr. Walker, however, treats the matter as what it no doubt is, a past issue."

In regard to Breed's Island, one strong objection would be to the quantity of land which the city would be obliged to purchase, and which could not be disposed of without detriment to the institution, if located there. It has been suggested that the House of Correction could be established on the same island; but in answer to that I would state that one of the most urgent reasons for removing the insane hospital from South Boston is for the purpose of disconnecting it from the criminal institution located on the same grounds. Even if a highway were to be laid out between the two institutions on Breed's Island, the stigma which in the popular mind attaches to being sent to the vicinity of a criminal institution would be felt none the less.

In fact, to purchase Breed's Island at this time, would be simply paying $250,000 for a site, and not a very desirable nor attractive one, for an insane asylum; and, moreover, the expense of preparing the grounds for the institution and beautifying them would be very large.

The location of the Codman estate in Dorchester appears to me to possess advantages vastly superior to either of the other two. It is within the limits of the city and easily accessible from the central portion. A portion of the grounds is sufficiently elevated to afford a view, unsurpassed, of Boston harbor, and the surrounding country—the most delightful in the environs of the city.

The mansion house and other buildings now occupying the estate can all be used to good advantage in connection with the hospital building. The land is fertile and a considerable portion is under a high state of cultivation. The size of the estate, sixty-one acres, nearly equal in area to the Common and Public Garden together, is undoubtedly sufficient to meet all the present or future wants of such an institution. The first cost of the estate may be large, but upon examination it will be found the cheapest for the city in the end. To bring the same extent of land on the Winthrop farm into a corresponding state of cultivation with the Codman estate would cost far more than the difference between $28,000 and $100,000.

I have not gone into the question of the comparative cost of building and maintaining an institution for the insane, at the different sites named, as the order relates only to the question of location. But as the cost is an important consideration, I will venture to say that I believe it can be demonstrated that the same establishment can be erected, and maintained, when completed, at a much less expense at the Codman estate than upon either the Winthrop farm or Breed's island.

Respectfully submitted,

SAMUEL C. COBB.

Accompanying this report are statements signed by Drs. Charles G. Putnam, Jacob Bigelow, Edw'd Reynolds, D. Humphrey Storer, George Hayward, George H. Lyman, Henry J. Bigelow, Henry I. Bowditch, Francis Minot, E. H. Clarke, B. E. Cotting, C. Ellis, C. D. Homans, R. W. Hodges and I. T. Talbot, declaring as their opinion that the Codman estate is much the preferable site for a hospital, and by Drs. George Derby, Charles E. Ware and Chas. E. Buckingham, also declaring the Winthrop farm to be totally unfit for the purpose.

The reports were laid on the table and ordered to be printed.

REPORT OF A COMMITTEE.

Mr. Keith of Ward Fifteen, from the Committee on Public Buildings, made a report that in consequence of having to build 400 feet of drain at the Almshouse, Boston Highlands, which was not contemplated in the original estimates, the bills for altering the said building for the Soldiers' Home have exceeded the sum of $2500, which they were authorized to expend for the purpose. They would therefore respectfully ask to be authorized to pay the said excess, amounting to $400, from the Appropriation for Public Buildings, and submit an order for that purpose:

Ordered, That the Committee on Public Buildings be authorized to expend the sum of $400 in addition to the original appropriation of $2500 for repairing and altering the building known as the Almshouse, Boston Highlands, said amount to be charged to the Appropriation for Public Buildings.

Mr. Keith stated, in explanation of the additional expenditure, that the further additional appropriation arose from the recent introduction of the Cochituate water into the building, and it became necessary to construct a drain four hundred feet to connect with the building.

The order was read twice and passed.

Mr. Rich of Ward Fourteen offered the following order:

Ordered, That the Committee on Public Buildings be and they are hereby authorized to procure a more convenient room for a Ward Room for Ward Fourteen.

Mr. Rich stated that by its terms it was not necessary that the order should go to the committee, yet he did not design that it should be passed without reference to the committee, so that they might ascertain what should be done.

The order was read once and referred to the Committee on Public Buildings.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## NOVEMBER 29, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

JURORS DRAWN.

Four Grand and four Petit Jurors were drawn for the United States District Court.

APPOINTMENTS MADE AND CONFIRMED.

Constable—George G. Drew.

Special Police Officer, without pay—Peter Morrison, at Constitution wharf.

Fire Department—W. S. Lawrence, Engine No. 3.

PETITIONS PRESENTED AND REFERRED.

Charles Merriam, trustee, for apportionment of Devonshire street betterments.

Mrs. H. E. B. Kelley, to be paid for damages caused by the widening of Hanover street.

Henry A. Whitney, trustee, and others, for apportionment of betterment on Devonshire street, also on Hanover street.

Thos. Richardson, executor, and others, to be paid for damages suffered by reason of the taking of their property to lay out Hamilton street in 1867.

Severally referred to the Committee on Streets, the last with instructions to consult the City Solicitor.

P. B. Smith, Jr., and others, that a room at the corner of Washington street and Shawmut avenue be hired for a ward room for Ward Fourteen. Referred to Committee on Public Buildings.

Uriah Samuels, to be paid for grade damages to his estate on Sixth street.

Standing Committee of First Church, that crossing stones be laid in Berkeley street.

Uriah H. Coffin and others, that Pembroke street, west of Columbus avenue, be called Pembroke park.

Severally referred to the Committee on Paving.

Henry Collat, for restoration of his license as dealer in second hand articles. Referred to Committee on Licenses.

Silas P. Holbrook and others, for a sewer in Knowlton street. Referred to the Committee on Sewers.

John Collamore, for removal of a tree from sidewalk opposite 41 Chestnut street. Referred to the Committee on Common and Squares.

Alexander Campbell and others, for a plank walk on city's land on East Newton street. Referred to the Committee on Public Lands.

John Porter, for leave to build a stable at No. 95 Heath street.

J. M. Plaisted and others, against the petition of J. M. Putney, for leave to erect a stable on Village street.

Severally referred to the Committee on Health.

A remonstrance was presented from Cook, Jordan & Morse and others against granting any further extension of the Metropolitan Railroad Co. except upon the condition that the tracks shall be laid forthwith, and cars run over the same for the accommodation of the citizens, and also that they shall not be allowed to take the cars off of any route after once put on, unless first obtaining such right from the Board of Aldermen. Referred to the Committee on Paving.

NOTICES OF PETITIONS FOR ANNEXATION TO BOSTON.

Notices of petitions to the Legislature from citizens of Charlestown, Somerville and Malden, for annexation of those places to Boston, were referred to the next City Council.

NOTICES OF INTENTION TO BUILD.

E. O'Connor, Fourth street, between K and L streets; Wm. Waters, Jr., corner of Trenton and Marion streets; Henry Bailey, Havre street, near Marion street; J. H. Vinal, Silver street, between D and E streets; George Patterson, Alpine street, between Akron and St. James streets; Holbrook & Harlow, corner of C and Bolton streets; George E. Clark, Federal street, between Dorchester and Middle streets; E. J. Davenport, corner of Dorchester and First streets; John Norton, Harrison avenue, near Eustis street; Thomas G. Caldwell, Longwood avenue, corner of Bellevue street; Edward Harrigan, 96 Cottage street; Batt Barry, Northfield street; D. H. Blaney, 1 and 3 Eutaw street; Alexander R. Esty, 37 Edinboro' street; Peter J. Harris, Gates street, near Telegraph street; L. H. Dwelley, Second street, between I and K streets. Severally referred to the Committee on Streets.

REPORT OF TRUSTEES OF THE PUBLIC LIBRARY

The Seventeenth Annual Report of the Trustees of the Public Library, as submitted by the Secretary of the Board of Trustees, with the report of the Committee on Examination of the Library and the report of the Superintendent, were laid before the Board, and 2000 copies were ordered to be printed.

The report of the Trustees refers to the marked increase in the use of the Library and of its usefulness, with a comparison of it with that of other city libraries, and calls attention to recommendations in the report of the Examining Committee and of the Superintendent. A want referred to is that of means for a permanent endowment, to enable the Trustees to purchase other libraries in certain cases. This, however, it is hoped may be furnished by individual gifts.

RESPECT TO THE MEMORY OF GEORGE PEABODY.

The following communication was laid before the Board by the Mayor:

BOSTON, 29th Nov., 1869.

*To the City Council of Boston:*

It is expected that the remains of the late George Peabody, whose memory is dear to the citizens of Boston for his munificent philanthropy, will arrive in this country during the month of December. I, therefore, deem it my duty to call your attention to the fact, in order that you may take measures for their reception respectful to the memory of one endeared to the country, and represent the sentiments of this community towards one of the greatest benefactors of mankind.

Respectfully,
NATHANIEL B. SHURTLEFF.

Alderman Bradlee offered the following order:

Ordered, That the Chairman of the Board and Alderman ——, with such as the Common Council may join, be constituted a Joint Committee to make such arrangements in consultation with His Honor the Mayor for the reception in this city of the remains of the late George Peabody as will serve to testify in behalf of the citizens of Boston their respect for the memory of that distinguished citizen of Massachusetts, and that any expense attendant upon the same be charged to the appropriation for incidental expenses.

Read twice and passed, and Alderman Bradlee was appointed on the committee.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the proposed assessment of the entire cost of the widening and grading of Oliver street upon the abutters, under the act of the Legislature, April 27, 1865, was taken up.

Charles A. Welch asked if the matter would be referred to a committee, before whom he could appear. He had but recently received notice of the hearing, on behalf of the heirs of Robert Williams, who wished to be heard on the subject.

Alderman Talbot said the proposed assessment was made under the advice of the City Solicitor, and it was desirable that a report should be made upon the apportionment at the next meeting of the Board, so that it can be settled before the close of the year. The law under which the street was laid out was plain, and he could hardly see what could be said upon the subject.

Mr. Welch said he supposed from the notice that the parties in interest were wanted to appear in relation to the assessment of the betterments; he was not ready to say anything on the subject, for the notice had but just been handed to him. If the Committee did not wish to hear the parties, he should have nothing to say, but if a meeting of the Committee should be held for the purpose he would appear before them.

Alderman Talbot stated that the Committee do not have a meeting before Friday. No objection would be made to hearing the parties, yet the Committee had no other course to pursue but to assess the betterment, pro rata, according to the law.

Mr. Welch asked if there was no appeal?

Alderman Talbot replied that there was no appeal.

Charles M. Ellis said he appeared for several parties, who would like to be heard. They wished to know what it was that was proposed to be assessed upon them, for they had received no notice or information on the subject. If it should be referred to a committee who should next week proceed to assess the betterments, he should simply protest against the proceedings.

Mr. Welch said he asked but simple justice. He supposed a committee would be appointed on the subject, and that he could appear before them. At least he would like to see the chairman of the committee on the subject.

Alderman Talbot said he was perfectly willing to hear the gentleman on the subject. The order of notice had been served two weeks, and if the parties had not received it, it was the fault of the constable, who should be looked after. The act of the Legislature for the grading of the street was passed in the interest of the petitioners, who were willing to bear all the burdens of the cost of widening and grading. There was in addition the interest on the cost of grading, but he did not think they were to bear that. The cost of the grading was to be borne by the abutting estates, and to be assessed pro rata. The city had nothing to do with the betterment, even were it four times as much. He was sorry it was so, but could not alter the law. The committee would appoint a meeting for a hearing on Friday, at 3½ o'clock.

Maurice O'Connell said he agreed with the Alderman that there was no exception or appeal to be taken—the simple duty of the Board of Aldermen under the act was to assess all the betterment on the estates of the abutters. There was nothing to be done to save the parties, and there could be no hearing to alter the award. All that could be done was to ask their interference to stop one of the most infamous transactions of legislation ever passed in Massachusetts. Every gentleman in view of the wrong done by the passage of the act and which continues to be done, should take action to pray the interposition of the Legislature to stop the fraud.

This, he said, was the fifth act in the course of wrong perpetrated, in neither of which had the sufferers asked that the measure be carried out. It was begun, carried on and consummated by a pack of schemers and adventurers at the expense of innocent parties, while the Board of Aldermen had nothing to do but accept the act, and did what it was authorized to do, in entering upon, widening and grading the street.

To show the way which it was done, he would state his own case, which was but a representative of others. In 1847 he bought a house on Oliver street, for which he paid $6200 in gold, and had received a rent therefor of $450 a year. The cost of erecting this and an adjoining house was $19,000. A month before his house was taken, an estimate by a competent party made it to be worth not short of $10,000. In the Board of Aldermen at the time there was not a member, with one solitary exception, who had an interest in the measure, but through parties who were interested, this estate was estimated by the Board of Aldermen to be worth but $3062 87—$2000 for the building and $2 75 per foot for the land. This building was of the best material, and under the act the parties were obliged to take back the material at the price fixed upon, which in this case was $487, with the balance of $2555 in cash. This payment was out of the fund for the grading of the street, and not from the city treasury. The act was begun, carried through and consummated by a few individuals for their own benefit. But four days before the order was passed, one of these parties conveyed to his own daughter thousands of feet of land, retaining of his estate a strip of only four feet, to save assessments. This would not have been known but for a lawsuit, in which it was brought out.

Mr. O'Connell further stated that redress was sought in the Supreme Judicial Court, which delayed a decision for a year and then when the aggrieved parties applied for an assessment of damages by a jury, they were assured that by their delay of a year their petition could not be granted, and were told that it was not such a suit as the law contemplated. He was now in his sixtieth year, and, although he could not expect to live many years, he hoped to live long enough to see the decision in the action of Shute & White vs. City of Boston pronounced a thick headed blunder. The act he styled to be as infamous as any that ever was passed, infamous in conception and in every feature of its execution.

Since this act was consummated the betterment law had been passed, but in all this time he had also been deprived of the use of his land. The property upon which he was obliged to pay taxes, although useless, would have brought him an income of $2000. He had never taken a dollar of the award, and never would until the decision of the Court was reversed. While the Board of Aldermen had no discretion in the matter, he would pray the Board to request the Mayor to petition the Legislature for an act to assess the cost of the grading of this street under the betterment law. He hoped the Board would see the propriety of petitioning the Legislature to wipe out the disgrace and infamy of this act.

The report was recommitted.

The orders of notice on the proposed laying out of Zeigler street were taken up, and no person objecting, the report was recommitted.

The orders of notice on petition of Isaac Fenno, Michael Killian, Job T. Cole and Ivory Harmon, for leave to erect stables, were considered, and the report was recommitted.

The order of notice on the proposed laying out of Spring Street place was taken up

M. L. Wallis objected to the proposed laying out. He could not see how he was to be benefited, his house facing two streets. If opened it would be more noisy, and he protested against it, particularly if the betterment law was to be applied to his estate.

The report was recommitted.

The order of notice on the proposed extension of Shawmut avenue fifty feet in width from Vernon street to Washington street, and the widening of said street between Washington street and the estate of F. L. Stockman, was taken up.

Dr. Streeter, in behalf of the Universalist society, said they preferred that none of their land should be taken, but if deemed expedient, they preferred this plan to the former one. They did not wish to be interfered with so long as their land was used for church purposes, but especially they protested against any assessment for betterment in either case.

A remonstrance was read from Horace Binney Sargent, who said he desired to make no factious opposition, while he expected to receive full compensation for any of his land taken and to resist any assessment under the pretence that he was to be bettered, but really to only raise the wind.

B. E. Perry, in behalf of Hiram Johnson, said, as they understand the plan, the line would be an absolute destruction of the estate of Mr. Johnson, running almost diagonally through the lot. While it could not be seen that there would be any betterment, it was clear that it would be a great injury to the estate, Mr. Johnson would prefer that the street should remain as it is.

S. Rowland Hart expressed a preference for the first plan, and objected to having this line through his land, which would be of no advantage in widening the street. He had not land enough to be benefited. In answer to Alderman Talbot if he was not willing to pay half a dollar if benefited a dollar, he said he was; but his land would not admit of much cutting off without injury.

Hugh Smith thought his case would be the worst of any of the parties He had been many years in acquiring the property which he owned and which was his place of business as a harness-maker This widening would destroy his place of business, and he would be driven out, perhaps required to hire a shop of Mr. Sargent at high rent, while his own place answered his purpose well enough. He thought his to be the hardest case on record, and if taken from him, he might as well go upon the street. He was not able to work as he once was, and it would be a great hardship.

James M. Keith said he knew the circumstances as related by Mr. Smith to be true. He objected, however, to this plan of widening, from public considerations. To bring Shawmut avenue into this point, would be to bring seven avenues together, a worse condition than that of Dock square. This would bring the travel in long routes, from Savin Hill and Weymouth. Providence, Brookline and Worcester on the one side, and on this side from Cornhill all to one point, and would make what the French call a *cul de sac*. Such a widening might be a temporary relief, but would eventually require the removal of the

whole block of buildings between the street and Guild row, and would cost much more than the present cost of widening.

What was wanted was the construction of parallel avenues, and this street should be carried out straight. This would interfere with the Universalist church, for which he was sorry, but the widening should be for all time. That property would soon be too valuable for church purposes, and very soon must be given up. The church might be moved forward, and a very convenient vestry constructed under it, when it would answer the purpose well for ten years, and then be sold for enough to build a better house in another locality.

It was the duty of the Board of Aldermen to look to the future in such improvements. In fifty years that locality will be as thickly occupied as around the City Hall. Ten years before the annexation of Roxbury to Boston, the plan was in contemplation to make a straight avenue as at first proposed by the Board. By the plan now proposed, Mr. Sargent's brick block will be left in a wedge shape, and Mr. Johnson's land will be cut through diagonally, and almost destroyed. He believed that the damage in this case would be more than in the other.

Chas. M. Ellis said he did not come here for the purpose of this hearing, but had been solicited to express his views on the subject. Several years since, when Gen. Dearborn was Mayor, the plan was proposed of making Shawmut avenue straight. The public good he believed required that the avenue should be made straight, and although it was unpleasant to disturb churches, there was no way of meeting the difficulty and of making such an avenue as the public good required, except by making the line straight in accordance with the former plan.

Roland Worthington stated that it was one of the principal objects of annexation to make straight avenues, leading from this city through Roxbury, and pending the question of annexation he took committees to see such places as this under consideration, the straightening and widening of which could not be done by two Boards of Aldermen acting separately. If the original plan was not carried out now, he believed it would be twenty years hence, as a necessity, and at a much greater expense.

The report was recommitted.

The orders of notice on the proposed widening of Hanover street at its junction with Court street, and on the petition of J. M. Pinkerton for assessment of damages for land taken by the Boston & Albany Railroad Company, were each taken up and recommitted.

PAPERS FROM THE COMMON COUNCIL.

The reference to Committee on Finance, of order to transfer $4000 from Reserved Fund to grade the promenade on Commonwealth avenue, was concurred in.

The order for Committee on Public Buildings to procure a better Ward Room for Ward Fourteen, was referred to Committee on Public Buildings in concurrence.

The report and order for the appropriation of $400 additional for repairs on the Roxbury Almshouse were passed in concurrence.

SALEM TURNPIKE AND CHELSEA BRIDGE.

A communication from the Commissioners on the Salem Turnpike and Chelsea Bridge Corporation, with the award of expenses to be paid by the county of Suffolk, was submitted to the Board by Alderman Pratt, who offered the following order to meet the requirements of the award:

Whereas, the commissioners appointed by the Supreme Judicial Court under chapter 309 of the acts of 1868, to determine the proportions of the expense of making forever free "the Salem turnpike and Chelsea bridge and other toll bridges in Essex county," have awarded the following sums to be paid by the County of Suffolk, as hereinafter described; and whereas said award has been confirmed by the Supreme Judicial Court, and executions have been issued therefor, it is hereby

Ordered, That the following sums be paid to the parties herein described, together with such costs of Court as may be incidental thereto, viz:

To the proprietors of Malden bridge $13,599 60,

To the Salem Turnpike and Chelsea Bridge Corporation $28,839 60,

To the town of North Chelsea $1000,

For expenses of the Commissioners $1612 38; said sums to be charged to the appropriation for the County of Suffolk.

The order was read twice and passed.

REPORTS OF COMMITTEES.

Alderman James, from the Joint Standing Committee on Public Lands, to whom was referred the petition of R. G. Dayton and others for a modification of the conditions of sale of land on Harrison avenue, Albany, Dover and Bristol streets, made a report recommending the passage of the accompanying order:

Ordered, That the Superintendent of Public Lands be directed to cancel the bond and agreement formed between the City of Boston and R. G. Dayton, Thos. Cree and others, dated Aug. 14, 1869, for land on Harrison avenue, Albany, Dover and Bristol streets, and to issue new agreements and bonds of the same date, so as to conform to the division of the land recently made by said parties.

Read twice and passed.

Alderman James, from the Committee on Public Lands, made a report representing that they have received from the Association for the Protection of Destitute Roman Catholic children in Boston, an application for the purchase of a lot of land containing about ten thousand feet on Concord and Stoughton streets, which adjoins their present lot, and is also bounded by land belonging to the New England Female Medical College; that having given the parties a hearing, the committee are unanimous in favor of selling the same and would recommend the passage of the accompanying order:

Ordered, That the Superintendent of Public Lands be and hereby is directed to sell to the Association for the Protection of Destitute Roman Catholic Children, the lot of land on Concord and Stoughton streets, as applied for by them, at fifty cents per foot, on the usual terms of sale and upon the same conditions as were placed upon the adjoining land purchased by said Association of the city in May, 1867, except the time for building.

Read twice and passed.

Alderman James, from the Committee on Paving, to whom was referred the petition of Charles E. Jenkins and others, and the petition of R. R. Leuchors and others, owners of houses on Chandler street, between Berkeley street and Columbus avenue, that said Chandler street may be graded, &c., made a report that Chandler street was laid out as a public street Nov. 3, 1869. It is now in a dangerous condition for public travel. There have been erected on said street twenty-nine brick houses and ten more are in process of erection, in all representing a taxable property of at least $300,000. The Water Board decline to fuanish water for these houses until the street shall have been filled to the established grade.

Until this is done these houses will be tenantless, unproductive of rent, and the owners subjected to a serious loss. The committee are of the opinion that this street should be immediately graded and put in safe condition for public travel; and although the expense of the work, taken in connection with other work which it is absolutely necessary should be done, and the cost of keeping the streets of the city in repair, will exceed the amount appropriated by the City Council for the paving department, they unanimously recommend the passage of the following order:

Ordered, That the Superintendent of Streets be directed to grade and gravel Chandler street, between Berkeley street and Columbus avenue, and construct the necessary cesspools and crosswalks on said street, at an estimated cost of $8000.

Read twice and passed.

Alderman Richards, from the Joint Standing Committee on Public Buildings, made a report that an additional appropriation of about $900 will be needed to pay for the window shades, edgestones and iron window guards at the Grammar Schoolhouse, Ward Nine, and also an additional appropriation of $2500 to pay for edgestones, paving sidewalks, window guards, and hall furniture for the Grammar Schoolhouse, Ward Twelve. They would therefore respectfully recommend the passage of the accompanying order:

Ordered, That the Auditor of Accounts be authorized to transfer from the Appropriation for Primary Schools, Public Buildings, the sum of $1000, to the Appropriation for Grammar School House, Ward Nine, and $2500 to the Appropriation for Grammar School House, Ward Twelve.

Read twice and passed.

Alderman Richards, from the Committee on the Fire Department, on the petition of Hills & Brother for leave to store petroleum in Albany street, near Oak and Harvard streets, reported that leave ought not to be granted. Accepted.

Alderman Hawes, from the Committee on Steam Engines, to whom was referred the petition of E. & G. G. Hook for leave to use a steam engine of twelve-horse power in their manufacturing establishment, at No. 1131 Tremont street, and also the remonstrance of Wm Clark and others against the same, made a report that they have given a full hearing to the petitioners and remonstrants, and are satisfied from the evidence presented that the danger from fire has been diminished rather than increased by the introduction of the steam engine, one of the main purposes being the heating of the building by steam instead of by numerous stoves and open fireplaces in the different rooms of the factory. The room in which the engine and boiler are located is carefully constructed, and the connections with the other parts of the building in which mechanical operations are carried on by steam power are properly guarded. Since the use of the fusible safety plug, in connection with all steam boilers, has been made compulsory, the danger from explosion has become very slight—in fact, hardly enters into any calculation in regard to the risk attending the use of steam power. The Committee would, therefore, recommend that the prayer of the petitioners be granted. Accepted.

Alderman White, from from the Committee on Licenses, reported in favor of licenses to Dennis Mahoney and others to give an entertainment at Waitt's Hall, Dec. 14; C. Herrmann to exhibit feats of legerdemain at Tremont Temple, Dec 1 to 11; John Stetson, Jr., to give an entertainment at the Adelphi Theatre; and of Thos. Cavanagh to give a billiard entertainment at Bumstead Hall, Dec. 10. Severally accepted.

Alderman White also reported licenses to five newsboys and one boy to sell confectionery; also licenses for wagon stands, transfer of wagon stands, as victuallers, dealers in second hand articles, for billiard saloons, and an auctioneer; also leave to withdraw on petition of Emma Mahoney for a victualler's license. Severally accepted.

Alderman Pratt, from the Committee on Lamps, reported favorably on petitions as follows: Calvin Swallow and others, for lamps on West Chester avenue, and at junction of Columbus avenue; S. N. Brown, Jr., and others, for a lamp in a passageway, 35 Waltham street; Stephen Fitzgerald, for lamps in Lawrence street, between Dartmouth and Clarendon streets; Daniel Breen, for a lamp at the head of Livingston place; Franklin Williams and others, for lamps in Renfrew street and Renfrew place; Andrew Foley and others, that Woodbine street be lighted. Severally accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Hawes, from the Joint Standing Committee on Water, who were requested to consider the expediency of providing for the payment for water used by the Fire Department in the extinguishment of fires, submitted the following report:

For the purpose of showing the actual expenses of carrying on each department of the City Government, it has long been the rule for one department to charge another department for work performed, or material furnished, in the same manner as though the service was rendered by persons outside of the Government. In accordance with this rule, the various departments of the City Government, with the exception of the Fire Department, pay the established rates for water used by them.

In considering the importance of the water works and the means afforded by them in the protection of property, it is said if the Fire Department is charged for the use of water from the hydrants, an appropriation will be made annually for the purpose, and put into the tax levy, thereby carrying out the established policy to meet all current expenses by taxation. The subject is considered more important on account of the annexation of new territory, and the necessary extension and enlargement of the water works, and to meet the growing deficiency in the income of the water works, while it would be objectionable to increase the water rates for domestic purposes.

The quantity of water used by each of the steam fire engines, when in operation, is from four hundred to six hundred gallons per minute; and it is not unusual for a million of gallons to be used at a single fire.

The total number of hydrants established up to May 1, 1869, was as follows: Boston Proper, 1048; South Boston, 345; East Boston, 198; Boston Highlands, 142.

The cost of the hydrants, and keeping them in order, as well as supplying the water, has heretofore been met by the water department.

The Committee refer to other cities, where this subject has engaged attention, and in answer to circulars, find that in fifteen cases out of twenty-six, direct compensation is made for the water used by the fire department. This compensation varies from $25 for each hydrant and reservoir in Worcester, to $50 in Louisville, Ky., while in Cincinnati, Cleavelaud, Buffalo and other cities special appropriations are made from $30,000 to $50,000 for water to be used at fires.

In the recent contract made by the Cochituate Water Board with the Mystic Water Board, for the supply of East Boston, the charge for water used from hydrants, provided the City Council of Boston do not establish any rates, is twenty-eight dollars for every three hundred and fifty inhabitants. If a rate is established by the City Council, then the Mystic Water Board receives the same proportion of the amount collected that it does upon the water rents in other cases.

If, therefore, the City Council do not authorize the Cochituate Water Board to charge for the water used by the fire department, by assessing a certain rate upon the hydrants, special provision will be necessary to meet this expense in East Boston.

For the reasons herein presented, the committee are of opinion that it is expedient for the City Council to authorize the Cochituate Water Board to charge the sum of eighteen dollars per annum for water used by the Fire Department from each hydraut and reservoir, aud twelve dollars per annum for furnishing and keeping in repair the hydrants and reservoirs.

The committee believe these charges would be just and equitable, and recommend the passage of an ordinance embracing these charges, providing also for the charge of water supplied for fountains and other public purposes.

The ordinance was read once, and on a motion that it take its second reading at the present time,

Alderman Richards objected, wishing for time to consider the matter. It appeared to him that this was cutting it pretty fine, and he objected to the charge for repair of hydrants, while it was evident, also, that three-quarters of the hydrants were not used.

Alderman Hawes said it was found that the hydrants required renewing every seven or eight years, and that the charge should be $12 to keep the hydrants in order, and $18 for the use of the water. In the course of a few years the Lowry hydrants would be substituted for those first in use. There will be a charge of $28 for the use of the Mystic water at East Boston, and as that must be paid for by appropriation, it would be better to make the charges uniform by ordinance.

Alderman Talbot said his advocacy of the measure was wider than the grounds of the Aldermen who had spoken on the subject. There had been a deficiency in meeting the interest and charges on the Water Works since their opening, amounting to $2,000,000. This deficit should be paid, and there could be no reduction of water rates until the receipts shall reach the amount of interest on the cost. Every department of the Government should be charged with the water, and as all estates would be useless without water and the means for extinguishing fires, the places of business should bear the expense of this means of security. The poorer classes should have the water as low as it can be afforded, and he believed it was at his suggestion that it was proposed to tax the hydrants for the supply of water used by them.

Mr. Richards said he wished to consult the Chief Engineer of the Fire Department, before passing the ordinance. We had been going on twenty years in the present way without charge to the department, and he did not know see any reason for a change. The charge by the Mystic Water Works was no criterion by which to be guided, for they would make the best trade possible.

The motion to suspend the rules was lost, and the second reading of the ordinance went over.

ORDERS OF NOTICE.

On the petition of the Metropolitan Railroad Co. for a location from Harrison avenue, through Dover to Albany street, and to Beach street, and over the tracks of the South Boston Railroad to Lincoln street, thence to Summer street, and through that street to connect with the tracks on Washington street. Hearing Monday, Dec. 20, 4 P. M.

On the proposed laying out of Fifth street from G to H street. Hearing Monday, Dec. 13, 4 P. M.

On the petition of James L. Miller for leave to erect a stable on Middle street, South Boston. Hearing Monday, Dec. 6, 4 P. M.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the Superintendent of Lamps be directed to provide for the proper lighting of Federal street, between First and Fourth streets and Broadway, in the vicinity of Federal street, while the work of changing the grade of said streets is in progress.

Ordered, That notice be and hereby is given to all persons obstructing Dartmouth street with lumber, &c., to remove such obstructions before Dec. 3, 1869, and in default thereof, the Superintendent of Streets is hereby directed to cause said obstructions to be removed at the expense of the owners thereof.

On motion of Alderman Rice,

Ordered, That the Committee on laying out and widening streets be requested to ascertain the rights of the city in the southerly sidewalk of Elm street, between Brattle square and Dock square, and to consider the expediency of widening said street at that point

Alderman Rice stated in explanation that he often found a portion of the sidewalk referred to encumbered with goods, and when he inquired of the policemen for the reason, he was told it was private property.

On motion of Alderman Baldwin:

Ordered, That the City Clerk be authorized during the week preceding the Municipal Election to keep his office open for the correction of the lists of the legal voters in the city, each evening, from 7 o'clock to 9 o'clock, and that public notice be given accordingly.

On motion of Alderman Richards,

Ordered, that the ward-room of Ward Seven be reëstablished in its former location at the Mather Schoolhouse, Broadway.

Alderman Richards stated as the reason for the change, that the Station House at South Boston had been completed, and the ward-room was again to be had for the voting as formerly.

On motion of Alderman Talbot, a resolve and order for the widening of Bedford street, at the corner of Lincoln street, by taking land belonging to the City of Boston, formerly belonging to Henry Lee, amounting to 161 square feet,

Alderman Talbot stated that the land was given to the city by Mr. Lee, for the widening, to be used hereafter, and although the building had not been removed, it was thought best to make the taking formally, the widening to be made when necessary.

Ordered, That in the matter of the petition of J. M. Pinkerton for assessment of damages caused to his estate by the location of the Boston & Albany Railroad thereon—it appearing to the Board that due notice has been given of the pendency of said petition, and that said Railroad Company has appeared by their counsel, George S. Hale, Esq., it is now, after consideration of the subject, determined and adjudged by this Board that the damages sustained by the petitioner in consequence of the location of the respondent railroad over said land be fixed at one dollar.

Ordered, That there be paid to Thomas Wigglesworth the sum of $5727 05 for land taken and damages occasioned by the widening and grading of Oliver street—$4565 81 being the sum awarded by the estimate of the Board of Aldermen Oct. 9, 1869, and the balance, $1161 24, being the interest on the award at 6 per cent. from Sept. 6, 1865, to Dec. 1, 1869, to be charged to the Oliver Street Loan.

Ordered, That there be paid to the heirs of H. S. Welch (Columbus Tyler, guardian), $94 70 for net proceeds of sale of old building material by the city on their estate numbered 24 on Washington avenue, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Michael Doherty the sum of $2585 23 for damages occasioned his estate Nos. 2 and 2 Humphrey place by the grading of Hamilton street, by a resolve of July 23, 1869, and for the old materials sold from his said estate by the city, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Edward H. Dunn the sum of $11,684 for land taken and damages occasioned by the widening of Hanover street, by a resolve of October 15th, 1869, to be charged to the Second Hanover Street Loan.

Ordered, That there be paid to Frederic W. Eliot $1015 for land taken and damages occasioned by the widening of Hanover street, by a resolve of October 15, 1869, to be charged to the Second Hanover Street Loan.

Ordered, That there be paid to Calvin and Lucy Ellis (heirs of Luther Ellis) $10,500 for land taken and damages occasioned by the laying out of Atlantic avenue, by a resolve of December 18, 1868, including all the old buildings and materials on the said land, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to Charles H. Warren and Edward Blake, trustees, $11,000 for land taken and damages occasioned by the laying out of Atlantic avenue, by a resolve of December 18, 1868, including all the old building materials on said land, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to Moses Williams $9500 for land taken and damages occasioned by the laying out of Atlantic avenue, by a resolve of December 18, 1868, including all the old building materials on said land, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to George L. and Abigail H. Pratt (heirs of Geo. Pratt) $20,000 for land taken and damages occasioned by the laying out of Atlantic avenue, by a resolve of December 18, 1868, including all the old building materials, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to Wm. T. Andrews, trustee, $11,000 for land taken and damages occasioned by the laying out of Atlantic avenue, by a resolve of December 18, 1868, including all the old building materials on said land, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to B. Porter Chamberlain $20,150 for land taken and all damages occasioned by the laying out of Atlantic avenue, by a resolve of December 18, 1868, including all the old building materials on the said land, to be charged to the Atlantic Avenue Loan.

Ordered, That the betterment assessed upon John C. Haynes for his estates Nos. 3 and 5 High street in the widening of said street, be apportioned into three equal parts.

Orders were also passed to meet the joint requisition; for the payment of bills of persons directly or indirectly connected with the City Government, for services rendered, and for the collection of assessments for abatements of nuisances in Hayward place.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## DECEMBER 2, 1869.

Petitions from the Board of Aldermen and notices of petitions of citizens of Charlestown, Somerville and Malden to the Legislature for the annexation of those places to this city, were referred in concurrence, the annexation notice to the next City Council.

The order to pay bills of persons directly or indirectly connected with the City Government, was read twice and passed, in concurrence.

The resolve and order for the extension of Zeigler street from its present terminus at Warren street to Guild row, was referred to the Committee on Streets of the Common Council.

Order for a joint committee to make arrangements for the reception, in this city, of the remains of the late George Peabody, was passed in concurrence, and Messrs. Pickering of Ward Fourteen, Denny of Ward Ten, Lucas of Ward Seven, Flanders of Ward Five, and Batchelder of Ward Four, with the President of the Council, were added as the committee on the part of the Council.

The following orders were severally read twice and passed:

Order for the sale to the "Association for the Protection of Destitute Roman Catholic Children" of the lot of land on Concord and Stoughton streets, applied for by them.

Order to cancel the bond and agreement between the City and R. G. Dayton and others, of August 14, 1869, for certain land on Harrison avenue, Dover, Albany, and Bristol streets, and to issue new agreements and bonds to conform to the division of the land made by the parties.

The order to transfer from the appropriation for primary schools, public buildings, one thousand dollars to the appropriation for Grammar Schoolhouse, Ward Nine, and twenty-five hundred dollars to that of Grammar Schoolhouse, Ward Twelve, was read once.

Mr. Snow of Ward Eleven inquired whether the order had been in the hands of the Committee on Finance.

The Chair stated that it appeared not to have been in the hands of that committee.

UNFINISHED BUSINESS.

The order to purchase the estate of the heirs of R. D. Harris, in settlement of damages for the laying out and grading of Hartford street, at ten thousand dollars, was read a second time, and passed.

The order to pay J. M. Gardner eight thousand dollars for his Patent Fire Alarm Telegraph system and for a transfer of said amount from the Reserved Fund was taken up for consideration.

Mr. Jenks of Ward Three stated that if the claim of Mr. Gardner was anything, it was for $13,000, but he did not think he had any claim against the city. When the right was conveyed to the city to use the fire alarm telegraph, he believed it conveyed the right to go where the city goes. As the city was likely to get an amount of diverse other territory, he was opposed to the passage of the order. If the claimant thought he had a good case, let him bring a suit and get his $13,000 if he can.

Mr. Wadsworth of Ward Four said the grant of Dr. Channing to the city embraced only the territory of the city at that time, and it was the opinion of the City Solicitor that such was the case. As there were not members enough of the Council to adopt the order at this time, he moved that it be passed over. Carried.

On motion of Mr. Keith of Ward Fifteen, the order to transfer $100,000 from the Reserved Fund for the completion of work already commenced, or which cannot be avoided, in keeping the streets in proper repair, was passed over for the same reason.

COMMUNICATION RELATIVE TO THE LUNATIC HOSPITAL.

The following communication was laid before the Council:

OFFICE OF BOARD OF DIRECTORS FOR PUBLIC INSTITUTIONS,
BOSTON, Dec. 1, 1869.

*To the Honorable the City Council of Boston:*

Gentlemen—The Board of Directors for Public Institutions have the honor to communicate to the City Council certain information in reference to the location of the New Lunatic Hospital at Winthrop Farm, much of which is of recent date and none yet in possession of the City Government. They have received the favorable judgment of all physicians conversant with the treatment of insanity who have visited the location, entertaining the idea that their opinions were entitled to greater consideration than those of physicians eminent in other branches of the medical profession.

The annexed communication from Drs. C. H. Nichols, Superintendent of Government Hospital for the Insane, Washington, D. C., John S. Butler, Superintendent of Retreat for Insane, at Hartford, Conn., (1st Superintendent of the South Boston Hospital) and W. P. Jones, Superintendent of State Hospital, Nashville, Tenn., is conclusive in our judgment, as to the paramount value of the Winthrop site. Dr. Choate, Superintendent of the Taunton Hospital, has recently visited the Codman Estate, and his letter, which is also annexed, gives his views of the relative value of each in terms of decided preference for the Winthrop site.

We also subjoin a letter in answer to a note from the President of the Board, to Gen. John G. Foster, in reference to an erroneous statement generally received, that he surveyed Winthrop Farm, and considered that an expensive sea wall was necessary to prevent the same from being washed away by the action of the sea. To this he replies that he referred to "Winthrop Head," or Bluff.

Winthrop Head is the large headland or bluff near Taft's, at Point Shirley, and at the northern end of the Gut. This bold headland, it is well known, has been washing away for many years, and may soon require the protection of a sea wall.

Winthrop Farm lies between this and Breed's Island, near the boundary line of North Chelsea, and not far from the creek that divides Boston and Winthrop. The headland forming a portion of this farm is the rocky bluff known on the charts as "Grover's Cliff," from which on the eastern boundary is a fine beach extending far beyond our limits to the south. The Farm is not over a mile, on an air line, from the bridge that connects Boston and Winthrop at Breed's Island. A broad, sandy space lies between the southeasterly line of the Farm and Winthrop Head, terminating with the beach referred to above.

The error in reference to the location of Winthrop Farm, originated in a correspondence between Gen. Foster and Hon. Otis Norcross, Mayor at that time. That correspondence is subjoined, and readily explains itself.

It is hoped that no prejudice against the project will be allowed to interfere with a just investigation of the question upon its merits.

Respectfully,
J. P. BRADLEE,
President Board of Directors for Public Institutions.

The letter of Drs. Nichols, Butler and Jones, dated June 5, 1868, and addressed to the Association of Medical Superintendents of American Institutions for the Insane, after referring to their visit to the Winthrop Farm, and a careful inspection of it, says:

"In our opinion the farm in question affords a good site for such a hospital as it is proposed to erect upon it. It commands a great variety of beautiful views, and the air of the place must be fresh and pure, while the extremes of heat and cold are probably less than they would be on any inland site of sufficient elevation.

The immediate site upon which it is proposed to erect the hospital buildings can be easily, thoroughly and economically drained. Much of the land is already in a fertile condition, and the whole of it, in view of the character of the soil and the abundance and cheapness of fertilizers at that point, can readily be made highly productive, and will afford a fine field for the sanitary and economical employment of the inmates of the institution. Building material and heavy supplies can be conveyed to a point about three-fourths of a mile from the building site (perhaps to a nearer point), and it is easily accessible from Boston, from which it can be reached in from one-half to three-fourths

of an hour, according to the mode of conveyance adopted.

And lastly, a Hospital for the Insane built on the site in question, is not likely on account of the peculiar situation of the farm, either to be encroached upon by the increase of population, or to interfere with any industrial or commercial development of the neighborhood. In view of the above considerations and others that might be mentioned, we approve of the use of the farm in the town of Winthrop which has been selected and purchased by the municipal authorities of Boston, as a site for a City Hospital for the Insane."

Signed by Drs. Nichols, Butler and Jones, severally.

TAUNTON LUNATIC HOSPITAL.

TAUNTON, MASS., Nov. 23, 1869.

*My Dear Doctor:* Your note of the 20th instant reached me yesterday, and in reply I would say that having visited and carefully examined both the Winthrop Farm and the Codman Estate, I very decidedly prefer the former as a location for a public hospital for the insane.

Both sites are very remarkable for beauty and extent and variety of scenery, but for this particular purpose the Winthrop Farm has undeniable and very essential advantages.

It contains the desirable amount of land, which the Codman Estate does not; and it combines not only far better than the latter site, but better than almost any location I have ever seen, ease of access, with that retirement and security against intrusion which are so important to the welfare of the insane, and to the satisfactory management of a hospital. In this essential particular, the Codman Estate is even now fatally deficient, and will inevitably become even more so; while the Winthrop Farm, from the peculiarity of its position, must be permanently free from publicity and intrusion.

Looking at the difference strictly from a medical point of view, I believe that at Winthrop your patients could, from the size of the farm and the character of its surroundings, enjoy so much greater liberty out of doors, that not only their happiness would be increased, but your percentage of cures would be greater. Truly yours,

GEO. C. S. CHOATE.

Dr. C. A. Walker.

The letter of Gen. Foster, in reply to a note of Mr. Bradlee of Nov. 26, is as follows:

BOSTON, MASS., Nov. 29, 1869.

*J. P. Bradlee, Esq., President Board Directors for Public Institutions:*

SIR—I have the honor to acknowledge the receipt of your letter of the 26th inst., informing me that I "have been represented as stating that Winthrop Farm is as much exposed as the most prominent headland of the outer harbor, and that it will become necessary, in case hospital buildings are erected upon it, to protect the bluff by costly seawalls."

In reply, I beg leave to state that the only opinion I have ever given on the subject is contained in my reply to a letter of inquiry dated Dec. 13, 1867, from Hon. Otis Norcross, then Mayor of this city, a copy of which I herewith inclose, as well as my answer, dated the same day, by both of which you will perceive that "Winthrop Head" or the "bluff" are the only situations referred to.

I remain, sir,

Very respectfully,
Your ob't. serv't.,
J. G. FOSTER,
Brevet Major-Gen. U. S. A.

The communication was laid on the table and ordered to be printed.

REPORTS OF COMMITTEES.

Mr. Batchelder of Ward Four, from the Joint Standing Committee on the Public Library, to whom was referred the request of the trustees of the Library for a further appropriation of $3000 for the purpose of preserving and preparing for public exhibition the valuable collection of ancient engravings presented by Thos. G. Appleton, Esq., made a report recommending that the additional appropriation be granted, and that the request be referred to the Committee on Finance, to report an order providing for the amount by transfer or otherwise.

The report was accepted, and the request referred, as recommended.

Mr. Richards of Ward Eight, from the Committee on Streets of the Common Council, to whom was referred the order of the Board of Aldermen, to set the edgestones and pave the sidewalks and roadway of Ferdinand street, at an estimated expense of $13,000, having considered the subject, made a report that in their opinion it would be inexpedient to do any portion of the work until next spring, and they, therefore, recommend that the order be referred to the next City Council.

The report was accepted, and the order was referred to the next City Council.

Mr. Richards, from the same Committee, to whom were referred the resolve and order for the widening of Federal street on its easterly side, between High and Purchase streets, at an estimated expense of $27,811, made a report that the order ought to pass.

The report was accepted, and the order was read a second time and passed.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, to whom was referred the order in relation to a ward room for Ward Fourteen, made a report that inasmuch as the citizens of that ward have already been notified to meet at the present ward room, for the purpose of voting at the next election, they deem it inexpedient to take any action on the subject at present, but respectfully recommend that it be referred to the next City Government.

The report was accepted, and the order was referred to the next City Council.

Mr. Keith of Ward Fifteen offered the following order:

Ordered, That the cost of erecting a fence around the Comins Grammar Schoolhouse, grading and paving the lot, and for new seats ordered by the City Council to be charged to the appropriation for Grammar Schools, Public Buildings, be transferred by the Auditor of Accounts from said appropriation to the special appropriation for altering said schoolhouse, and that to meet said expenditures the Auditor of Accounts is authorized to transfer to the appropriation for Comins Grammar Schoolhouse from Primary Schools, Public Buildings, $10,000; from Hose House No 3, $4200; Police Station House, Ward Thirteen, $1800.

The order was read once.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, DECEMBER 6, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at 4 o'clock, Mayor Shurtleff presiding.

PETITIONS PRESENTED AND REFERRED.

Ann O'Driscoll, for compensation for injuries received by a fall on the sidewalk. Referred to the Committee on Claims.

William Sawyer, for abatement of an assessment for a sewer in Eustis street. Referred to the Committee on Sewers.

James B. Watkins and others, for the use of Faneuil Hall on January 3, 1870, for a festival.

George I. Robinson, James K. Crowley and others, for the use of Faneuil Hall, December 8.

John W. Randall and others, for the use of Faneuil Hall, December 9.

Severally referred to the Committee on Faneuil Hall, with full powers except on the first named.

James G. Haynes and others, that Harrison avenue be widened at the corner of Curve street.

Peter B. Brigham and others, against the proposed extension of Washington street to Haymarket square.

Severally referred to the Committee on Streets.

J. Albert Johnston, for leave to build a stable for four or more horses on Fifth street, between M and N streets. Referred to the Committee on Health.

H. B. Sargent, for removal of a tree in front of the Post Office in Washington street, Highlands.

Martin Beatty and others, that Kendall street be graded.

John F. Kenney, for compensation for grade damages in change of grade in Spring lane.

John N. Bauer, for compensation for grade damages by change of grade in Water and Devonshire streets and Spring lane.

A. J. Perry & Co., for compensation for grade damages by change of grade of Devonshire street.

Betty B. Tuckerman, for compensation for change of grade of Lambert street.

John Rindge, that a crosswalk be laid over Tremont street at Lenox street.

Michael Drinan, for leave to move two wooden buildings from Hampshire to Factory street.

A. H. & T. W. Carter and Bleischwitz & Homeyer, for compensation for grade damages in Water street and Spring lane.

Severally referred to the Committee on Paving, in the cases of Rindge and Drinan with full powers.

NOTICES OF INTENTION TO BUILD.

Thos. Cassidy, No. 60 Princeton street; Henry Calder & Co., Sturtevant wharf; I. & H. M. Harmon, Marlboro street, between Berkeley and Arlington streets; and on Berkeley and Newbury streets; Peter Curley, Ruggles street, near Parker street; James Howe, between Sherman and Warren streets. Severally referred to the Committee on Streets.

AUDITOR'S MONTHLY EXHIBIT.

The Monthly Exhibit of the Auditor was laid before the Board, in print, presenting an Exhibit of the General and Special Appropriations for the present financial year of 1869-70, as shown in the books of his office, December 1, 1869, including the December draft, being eight months' payments of the financial year, exhibiting the original appropriations, the amount expended, and the balances of each unexpended at that date. A recapitulation of the statement gives the following result:

| | Appropriations, Revenues, etc. | Expended. | Unexpended. |
|---|---|---|---|
| General... | $8,719,863 78 | $4,674,971 33 | $4,044,892 45 |
| Special.... | 7,183,196 89 | 2,958,159 67 | 4,225,037 22 |
| | $15,903,060 67 | $7,633,131 00 | $8,269,929 67 |

Ordered to be sent down.

SEWER ASSESSMENTS.

Assessments for sewers, as returned by the Sewer Department, were presented and referred to the Committee on Sewers, as follows: Kenilworth street, $591 98; Brainbridge street, $3401 66; Grove Hall avenue, Moreland and Perrin streets, $6055 17; Rockville place, $1939 17; Sixth street, between C and D streets, $1124 50; Sixth, between L and M streets, $510 28; Albany and Newton streets, $3753 06; High street, $182 71; Princeton street, $3252 36; Saratoga street, $1337 95.

HEARINGS ON ORDERS OF NOTICE.

Hearings on orders of notice on the proposed laying out of Marlborough street, on the widening of Federal street, near Franklin street, on the widening of Warren street, at the corner of Dudley street, and on petition of James L. Miller for leave to build a stable on Middle street, were severally taken up. No person appearing in either case, the reports were recommitted.

UNFINISHED BUSINESS.

The resolve and order to widen Hawthorne street, on land of Benjamin F. Dean, at an expense of $500, was read a second time and passed.

The report and ordinance to charge for water used at fires was considered.

Alderman Richards said he had not much to say more than he said when this subject was up before. He had conversed with the head of the Department, who held the same views which he did. So far as relates to the demands for repairs by the ordinance, he did not believe they were sustained legitimately. If it was intended to charge the interest on the cost of hydrants for eighteen or twenty years there was no reason for it.

In the Highlands the department take care of the hydrants, and no objection would be made to taking care of them elsewhere, as the reservoirs are taken care of. He should vote against the ordinance, believing it to be impolitic. Where the use of the water was so much for the public good, there could be no reason to make it a charge to the department, any more than to make a charge against all other departments for the use of water. The argument that it would relieve the poor in keeping down the water rates he did not consider as of any weight. To charge $90,000 additional to the department for the use of water would be enhancing that expense of public business to no advantage, and as to charging $12 a piece to keep the hydrants in repair, it was not just to make such a charge. It was late to send the subject back to the Committee, yet he would make the motion to do so.

Alderman Hawes stated that the cost of the hydrants was $103 apiece, and the care of them $5 a year, which with the interest, would make $12 21. Many have been renewed, and many more need renewing. It was not proposed, however, to charge for every one of them. In East Boston there were two hundred, and but eighty-five were charged for. A payment must be made for these to the city of Charlestown, and if others were not charged for, an allowance must be made out of the city treasury. The deficit in the receipts of the Water Board amount to $160,000, and if a portion of it is not met in this way, it must be in some other way.

Alderman Richards stated that since he was up before, he had obtained from the chief a statement of the number of hours which the steamers worked during the last year. The whole number of hours worked by them was 1078, and taking the quantity of water which they would use, it would not amount to more than $50,000 at the rate of charge by meters, while it was proposed to charge $90,000. There would then be a deficit of $70,000 to be made up from other sources. The chairman of the Committee on Health might be called upon to make up the rest at the next meeting. If this course was to be taken each department of the Government should be required to take its relative share. The Superintendent of Health was constantly using the water in large quantities, and he did not know but that he used about as much as the Fire Department. If the interest on the water debt must be made up, let the deficiency be ascertained, and put into the Appropriation bill.

Alderman Talbot stated that 1700 hydrants, at $30 each, would make $51,000 instead of $90,000, as supposed by the Alderman. The deficit of the water receipts had been charged to the construction account until the amount had reached $2,000,000. The deficit was increased enormously. It could not be an objection to put the charge of the use of water to the account of the department which used it. It would not be considered as the

cost of the department, and might be put into the general levy. If some such measures were not adopted, the water rates would have to be raised. He was opposed to recommitment, and hoped the ordinance would pass.

Alderman Hawes read from the report of the Committee, relative to charges made in other places for the use of water. The Committee, after obtaining all the information they could on the subject, thought the charges proposed would be but reasonable.

The motion to recommit was lost, when the ordinance was passed, providing as follows:

Section 1. For the use of water from hydrants and reservoirs, in extinguishing fires, the Fire Department shall be charged for each hydrant and reservoir established within the limits of the city the sum of eighteen dollars per annum; and for furnishing said hydrants and keeping them and the reservoirs in repair and ready for use, the Fire Department shall be charged, for each hydrant and reservoir established within the limits of the city, the sum of twelve dollars per annum.

Sec. 2. For water supplied for fountains and other public purposes, the Water Board may charge the Department of the government ordering the water at the same rate that individuals or corporations are charged for water supplied for similar purposes.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported in favor of granting the several petitions of Chas. G. Gottschalk for leave to give dramatic exhibitions at Mercantile Hall; John Rindge for leave to open the Boston Skating Rink this winter as a place of amusement; Wm. Folsom for leave to give concerts at East Boston and South Boston, December 8 and 9. Severally accepted.

Alderman White also reported in favor of a license to one newsboy, and licenses for wagon stands, wagon licenses, transfer of wagon licenses, and licenses as an auctioneer and a dealer in second hand articles. Severally accepted.

Alderman White, from the Committee on Health, to whom was referred the order of November 2, empowering them to advertise for contracts for the removal of the offal from the city, made a report, accompanied by two contracts, which they submitted for the approval of the Board.

In reply to a question of Alderman Talbot, it was stated that the highest bidder in the contract for the city offal was not accepted, the party insisting upon drawing up his own contract, which, under instructions of the City Solicitor, was not accepted.

The principal features of the contracts accepted, and approved by the Board, were as follows:

A contract between the city and Charles G. Crockett of Brighton for three years from Jan. 1, 1870, for the delivery of the offal collected in all the wards of the city except One, Thirteen, Fourteen and Fifteen, at the offal depot in Albany street, the said Crockett to pay to the city the sum of $2751 25 per quarter, and the offal to be carried twice in each day beyond the limits of the city.

A contract between the city and Thomas Dolan of Boston for three years for the purchase of the offal collected in wards Thirteen, Fourteen and Fifteen, to be taken from the former almshouse at Roxbury, as often as once in two days from December to May and once every day during the remaining months of the year, and to pay at the rate of $2150 per annum, in monthly payments of $179 17.

Alderman Fairbanks, from the Committee on Sewers, reported no action necessary severally on petitions of Howard A. Doe, for a sewer in Eighth street, near D street; of J. H. Hathorne, for improved drainage in North street; of Peleg W. Chandler and others, for a new sewer in Devonshire street, near State street; and leave to withdraw on petition of Ann J. Blanchard, for abatement of a sewer assessment in Bartlett street. Severally accepted.

Alderman Fairbanks submitted the following request to the City Council:

The Committee on Sewers were ordered early in the year to complete the system of surface drainage on Tremont street, above Dover street, and to construct a large sewer in Concord street, as measures for the better drainage of the low cellars at the South End. Toward the expense of this work there had previously been set apart the balance of the amount received by the city from the Water Power Company, for constructing certain sewers upon their land, and known as the "Back Bay and Surface Drainage" revenue. It was thought that this amount of $43,232 15 would cover all the expense of the work that could be done this year, but it was deemed advisable by the committee, though exhausting the fund, to push the Concord street sewer as far as Tremont street, so that it could be available to the general drainage during the winter. The expense incurred exceeds the balance of the appropriation by the sum of $11,500, which amount the committee ask to have transferred to this account.

The expenses have been as follows, viz:

| | |
|---|---|
| For 2300 feet sewers in Tremont street and Chester avenue, average size 24x18 | $7,374 52 |
| For 2000 feet sewer in Concord street, 5 ft. x 8 ft. | 47,127 71 |
| Total | $54,501 23 |
| Special appropriation | 43,232 15 |
| Deficiency | $11,269 08 |

The committee also regret that an additional sum of $6000 will be necessary, beyond the present appropriation, for the current expenses of the Sewer Department, to 1st of May, 1870. As the abutters repay three-fourths of the cost of sewers and have been very urgent in their demands for them, the committee have felt justified in keeping on with the work as long as the season would allow.

The committee would suggest that the fund of $12,441 03, which has remained untouched as the balance left from the construction of Stony Brook Sewer by the city of Roxbury, could be very appropriately used for the greater part of the amount required.

The request was referred to the Committee on Finance.

Alderman White, from the Committee on Health, reported in favor of the several petitions for leave to erect stables, as follows: Isaac Fenno, Walnut avenue and Warren street; Michael Killan, Parker place; Job T. Cole, No. 90 Silver street; Ivory Harmon, Perrin street. Severally accepted.

Alderman Seaver, from the Committee on the Market, reported in favor of the transfer of Stalls 121 and 123 Faneuil Hall Market. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman James, from the Committee on Paving, to whom was referred the petitions of Isaac S. Burrell and others, and Horace Binney Sargent and others, for the removal of a tree from Washington street, near Shawmut avenue, reported the following order:

Ordered, That the Superintendent of Streets be directed to move the tree in the sidewalk in front of the post office on Washington street, near Shawmut avenue, said tree being an obstruction to public travel.

Read twice and passed.

Alderman James, from the Committee on the Common, on the petition of John Collamore, for leave to remove a tree from No. 41 Chestnut street, reported that he have leave to remove the tree at his own expense. Accepted.

ORDERS OF NOTICE.

On the proposed laying out of Boylston street, from Berkeley to Clarendon street, hearing Monday, Dec. 20, 4 P. M.

On the petition of H. L. Bachelder & Co., for leave to use a steam engine at No. 51 Harrison avenue, hearing Monday, Dec. 27, 4 P. M.

ORDERS PASSED.

On motion of Alderman Seaver,

Ordered, That the Committee on Public Buildings be authorized to change the locations of the water closets and build new drains in the cells of Police Station No. 6, the expense thereof to be charged to the appropriation for public buildings.

On motion of Alderman Fairbanks,

Ordered, That the sum of $3 85 be and is hereby assessed upon Mary A. Stewart as her proportion of the cost of a sewer in Ward street.

On motion of Alderman James,

Ordered, That the following streets and places on Fort Hill be closed against public travel until the grading of said hill shall have been completed,

viz: Washington avenue, Washington place, Washington square, Mariner place, Humphrey place, Wendell street, and Hamilton street from Wendell street to Washington square.

On motion of Alderman Talbot,

Resolve and order for the laying out of Newbury street, between Arlington and Clarendon streets, at no expense.

Resolve and order for the laying out of Marlborough street, between Berkeley and Dartmouth streets, at no expense.

Resolve and order for the laying out of Lawrence street, from Berkeley street to Dartmouth street, at no expense.

Resolve and order for the laying out of Yarmouth street, between Columbus avenue and the Boston & Providence Railroad, at no expense.

Resolves and orders for the laying out of West Newton street, Worcester street, Rutland street, Pembroke street, West Canton street, West Springfield street, West Concord street, West Chester avenue and Holyoke street, between Columbus avenue and the Boston & Providence Railroad, severally, at no expense.

Resolve and order for the widening of Warren street on its westerly side, at the corner of Dudley street, by taking a parcel of land belonging to Henry A. Walker, amounting to 130 square feet, and at an expense of $195.

Whereas, Henry and Margaret B. Sigourney, (Henry Sigourney and Joel Richards, trustees,) owning the estate numbered 47 on India wharf, which is hereinafter described, object to being assessed to pay a portion of the expenses of laying out Atlantic avenue, and having surrendered the said estate to the city, pursuant to the statute in such cases provided; and in the opinion of this Board the public convenience and necessity require that the said estate should be taken for the said purpose—it is therefore hereby

Ordered, That the said estate be and the same hereby is taken for the purpose aforesaid, bounded as follows, viz: southerly on said India wharf, there measuring 23 feet four inches; westerly on land now or formerly belonging to Edward Wigglesworth, 41 feet; northerly on land now or formerly belonging to George Linder and George A. Meyer, 24 feet, and easterly on land now or formerly belonging to the heirs of George Pratt, 40 feet 8 inches—being the same premises conveyed by Wm. Parsons to Henry Sigourney by deed of Nov. 7, 1869, and the Board doth adjudge that the expense of said taking the said estate will amount to $9500.

Whereas Lucy and Calvin Ellis (the heirs of Luther Ellis) owning the estate numbered 18 on India wharf, which is hereinafter described, object to being assessed to pay a portion of the expense of laying out Atlantic avenue, and having surrendered the said estate to the city, pursuant to the statute in such cases provided, and in the opinion of this Board the public convenience and necessity require that the said estate should be taken for the said purpose: it is therefore hereby

Ordered, That the said estate be and the same hereby is taken for the purpose aforesaid, bounded as follows: northerly on said India wharf, there measuring 24 feet 9 inches; westerly on land now or formerly belonging to George Linder and George A. Meyer, 39 feet 9 inches; southerly on land now or formerly belonging to Mary Sigourney, 24 feet; and easterly on land now or formerly belonging to the heirs of George Pratt, 39 feet 9 inches, being the second parcel of land conveyed by Betsey Ellis to Luke Ellis, Calvin Ellis and Lucy Ellis, by deed of Sept. 4, 1843, and the Board doth adjudge that the expense of taking the said estate will amount to $10,500.

Ordered, That there be purchased, in the settlement of damages occasioned by the laying out and grading of Hartford street, of Job F. Bailey, his estate numbered 6 on Purchase place, for the sum of $3900—to be charged to the Fort Hill Improvement Loan.

Ordered, That there be purchased, in the settlement of damages occasioned by the laying out and grading of Hartford street, of John Paine, his estate numbered 5 on Purchase place, for the sum of $4000—to be charged to the Fort Hill Improvement Loan.

Ordered, That there be purchased in the settlement of damages occasioned by the widening and grading of Hamilton street, estate numbered 1 thereon, and belonging to Abram French, for the sum of $11,000—to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Luke Bemis, Jr., the sum of $5852 50 for land taken and damages occasioned his estate by the widening and grading of Purchase street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Catharine Ray $3569 95 for land taken and damages occasioned the estate No. 130 Purchase street, by the widening and grading of that street, by a resolve of July 23, 1869, the said estate having been taken in the name of Stephen F. Wilson, at the time the taking was made, and subsequently purchased of him by said Ray, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Catharine Ray $3782 55 for land taken and damages occasioned by the widening and grading of Purchase street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Joseph L. Parker the sum of $2039 92 in full compensation for all damages sustained by him in consequence of the raising of the grade of Tremont and Eliot streets, upon his giving to the city an acquittance and discharge for all damages, costs and expenses sustained to him and his tenants in consequence of the raising of said grade; the same to be charged to the Appropriation for Tremont street.

Ordered, That there be paid to the heirs of Edmund R. Griffiths $3000 for land taken and damages occasioned by the widening of Tremont street, by a resolve of June 6, 1868, to be charged to the Tremont Street Loan

Ordered, That there be paid to Moses Williams, $8000 for land taken and damages occasioned by the laying out of Atlantic avenue, by a resolve of Dec. 18, 1868, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to James Davis and W. D. Winsor (trustees of estate of James Davis) $25,565 for land taken and damages occasioned by the widening of Hanover street, by a resolve of Dec. 31, 1868, to be charged to the first Hanover Street Loan.

Ordered, That there be paid to Benjamin F. Dean $500 for land taken and damages occasioned by the widening of Hawthorn street, by a resolve passed this day, to be charged to the appropriation for laying out and widening streets.

Ordered, That there be paid to Henry A. Walker $195 for land taken and damages occasioned by the widening of Warren street, by a resolve passed this day, to be charged to the appropriation for laying out and widening streets.

Ordered, That the Cochituate Water Board be requested to report to the City Council the estimated expense of furnishing reservoirs and hydrants, and supplying water for the use of the Fire Department for the extinguishment of fires, and for other public uses, since the introduction of water into the city of Boston.

Alderman Baldwin offered the following order:

Ordered, That a Special Committee of three members of this Board be appointed to consider the claims of Maurice O'Connell and Mary E. Shute for damages to their estates from the widening and grading of Oliver street, and to report if any relief can be afforded to them by the city, either in land or equity.

Alderman Baldwin, in support of the order, said that when he listened to Mr. O'Connell the other day he was struck by his remarks that the acts under which his property and that of others had been taken were very arbitrary and of great hardship, and that not half the damage had been obtained for the value of his property. Through some misunderstanding of his counsel or of the courts, the suit which might be brought against the city to obtain redress for the harsh provisions of those laws was lost. He would not sell himself for gold or place, as is customary in these days, but he would do justice to every citizen. The city could not afford to take advantage of cases like this, and should provide some way by which justice can be done to these parties. He hoped the order would pass, and would ask the yeas and nays on its passage.

Alderman Talbot did not think the case was so broad as the Aldermen had represented. Under the act for grading of Oliver street, which was passed at the request of petitioners, the City Government in 1865 adjudged the value of the property. There were only these two cases of which he had heard complaints of hardship, and although they might be hard, he did not know that they

were unjust. He had no objection to taking the yeas and nays nor to the passage of the order.

Alderman Richards said he was glad to hear the remarks of the last Alderman. Such cases of hardship could not be ignored. An act was passed for the grading of the street, and the public stepped in to take advantage of it. A wrong may have been done on the appraisal of the property. If so it should be remedied. He would have preferred that the order should go to the Committee on Streets, the power being in that Committee. If estimated too low, it should be remedied, even though done by a former City Government. If one half of the value was not awarded, this Committee will be as ready to make it right, as if it was within their province originally. They can take all the evidence in the cases, and report upon it, and if the award was too low correct it. He moved to substitute Committee on Streets for the special committee provided in the order.

Alderman Baldwin said he had no objection to a reference to the Committee on Streets. He moved the appointment of a special committee to secure harmony of action, but would accept the amendment.

Alderman Talbot said he hoped it would go to a special committee. Since so much had been said, he had looked into the matter a little. In regard to the estate of Mrs. Shute, it appears that it was taxed in 1864 and 1865 for $4000. In the widening of the street 428 feet of land were taken, and the award was $2551 58, with the materials of the building, and there was left 766 feet of land. There might be hardship in some cases, and some of the awards be a little out of the way, but generally they were nearly correct. One party who believed himself aggrieved brought a suit, and got about as much as had been offered him by the city. Other parties had an opportunity to bring suits at the end of eleven months.

The city in this case merely acted in the capacity of holding a trust, and it would cost the city probably $150,000. It could not be expected to give as much more. In the low rate of award of damages, the less pay the parties receive the less rate will be assessed for betterments. The design was to fix upon a rate equally apportioned to each other.

In reply to Alderman Richards, relative to the suit above mentioned, Alderman Talbot stated that that the party received from $150 to $200 less than the city would have given him.

Alderman Baldwin said the condition of these parties was apparent on the face of it. They had been deprived of the use of their property for five years. If there had been an injustice done to any citizens, there should be appointed a committee to investigate and report upon the subject and let us know where we stand.

Alderman Talbot again stated that he hoped a special committee would be appointed on the subject, and moved an amendment to that effect.

Alderman Richards said he hoped the motion would not prevail, for the Committee on Streets had some knowledge on the subject, and it would take a new committee three times as long to ascertain the facts in the case.

Alderman Talbot withdrew his motion, and expressed the hope that the inquiry would not be confined to the two parties alone mentioned in the order. If there were others, not satisfied, they should be included.

Alderman Richards hoped it would include any other persons who may be aggrieved, and moved to insert "and other parties."

As amended, the order was unanimously passed —yeas 10, nays none.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## DECEMBER 9, 1869.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petition of Ann O'Driscoll, for compensation for injuries, was referred in concurrence.

The Auditor's Exhibit, to Dec. 4, was ordered to be placed on file.

The request of the Committee on Sewers for an additional appropriation of $11,500 for Back Bay Drainage and Sewers (City Doc. 109, 1869) was referred in concurrence.

The order establishing the Ward Room of Ward Seven at its former location at the Mather Schoolhouse, on motion of Mr. Flynn of Ward Seven, was laid on the table, the mover stating that it was on the request of the Alderman from that Ward.

The following orders were severally read once:

Order to purchase the estate of Abram French, in settlement of damages for the widening and grading of Hamilton street, at the sum of $11,000.

Order to purchase the estate of John Paine, in settlement of damages for the laying out and grading of Hartford street, at the sum of $4000.

Order to purchase the estate of J. F. Bailey, at the sum of $3900, in settlement of damages for the laying out and grading of Hartford street.

Order for the change of location of closets, and building of new drains in the cells of Police Station No. 6.

Order to take, for the purpose of laying out Atlantic avenue, the estate on India wharf surrendered to the city by Lucy and Calvin Ellis.

The following orders were read twice and passed:

An ordinance in addition to an ordinance providing for the care and management of the Water Works. City Doc. No. 96, 1869.

Order requesting Water Board to report the estimated expense of furnishing hydrants and reservoirs, and supplying water for the Fire Department and other public uses, since the introduction of water into Boston.

Order to take, for the purpose of laying out Atlantic avenue, the estate on India wharf surrendered to the city by Henry Sigourney and Joel Richards (trustees).

UNFINISHED BUSINESS.

The several orders for the transfer of appropriations and to pay J. M. Gardner for patent fire alarm telegraph, coming up on their second reading, on motion of Mr. Jenks of Ward Three, were passed over, (modified from a motion to lay them on the table), for the reason that there were not members enough present to insure their passage.

REPORTS OF COMMITTEES.

Mr. Denny of Ward Ten, from the Committee on Ordinances, presented in print the reports of the Committee on the Establishment of a Board of Street Commissioners. The order requesting the Mayor to petition the Legislature for the passage of an act to establish a Board of Commissioners on Laying Out and Widening Streets, in accordance with the provisions set forth in the order, was read once.

Mr. Snow of Ward Eleven moved a suspension of the rules that the order might be passed at once.

Mr. Flynn of Ward Seven hoped the rules would not be suspended, on account of the absence of one member of the minority of the committee who wished to speak on the subject.

The motion was withdrawn.

Mr. Wadsworth of Ward Four thought there could be no more importance in attending a political meeting than of being present in the Council, and hoped a postponement would not take place.

Mr. Flynn stated that the gentleman intended to have been present, but could not.

Mr. Richards of Ward Eight, from the Committee on Streets of the Common Council, to whom were referred the resolve and order to extend Zeigler street, thirty feet in width, from its present terminus at Warren street to Guild Row, at an estimated expense of $18,435 50, having considered the subject, recommended that the Council concur in the passage of the resolve and order.

The report was accepted, and the resolve and order were read a second time and passed.

Mr. Richards, from the same Committee, to whom were referred the resolve and order to lay out Lamartine street fifty feet in width, from Centre street to the boundary line between Boston and West Roxbury, having considered the subject, made a report that it appears from an examination of the territory, that the public safety and convenience will be promoted by laying out this street, and that all this expense, or very nearly all, can be assessed upon the abutters. The Committee therefore recommend the Council to concur in the passage of the resolve and order.

The report was accepted, and the resolve and order were passed.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, submitted the following order:

Ordered, That the Committee on Public Buildings be authorized to sell by public auction, at such time as they may deem expedient, the old buildings on the lot of land owned by the city on Yeoman street, which are not required for school purposes—the proceeds of said sale to be paid into the City Treasury.

Read twice and passed.

Mr. Keith, from the same committee, to whom was referred the order relating to the purchase of a lot of land on D street, and the erection of an engine house thereon, made a report, that after carefully considering the subject and consulting with the Chief Engineer of the Fire Department, they are of the opinion that it is inexpedient to purchase the said lot. They would, however, recommend that Hose House No. 9, on B street, corner of Athens street, be enlarged and remodelled so as to accommodate an engine and hose company, and they therefore recommend the passage of the following orders:

Ordered, That the Committee on Public Buildings be authorized to enlarge and remodel Hose House No. 9, for the accommodation of an engine and hose company, at an expense not exceeding $10,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $10,000, to be appropriated for the enlargement and remodelling of Hose House No. 9.

The orders were read once and referred to the Committee on Fire Department.

Mr. Keith, from the same Committee, to whom was referred the order in relation to selling the land owned by the city on the corner of Palmer and Winslow streets, made a report that they have carefully considered the subject and recommend that a part of the said lot, containing 3095 square feet, be reserved for an addition to the yard of the Primary Schoolhouse on Eustis street; and that the remainder be divided into two lots, one containing 3973 square feet, and the other 4504 square feet, and sold at public auction. They therefore respectfully recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to add to the yard of the Eustis Street Primary Schoolhouse a portion of the lot of land owned by the city on the corner of Palmer and Winslow streets, containing 3095 square feet; and to sell the remainder of said land in two lots, containing respectively 3973 square feet and 4504 square feet—said land to be sold at public auction and the proceeds of said sale to be paid into the city treasury.

Mr. Keith stated in explanation of the report, that by a plan which he had, it would be seen that the lot of land was adjoining the schoolhouse referred to. If the portion nearest to the schoolhouse should be sold and buildings erected on it, it would obstruct the light and air of the schoolhouse. It was accordingly thought best to add a portion of the lot to the schoolhouse yard, and to sell the remainder in two lots, as proposed. The land had risen largely within two years, since the purchase, to an amount of forty per cent. After making the reservation, the balance can be sold for more than the cost of the whole lot.

The report was accepted and the order was read once.

LUNATIC HOSPITAL SITE.

Mr. Snow of Ward Eleven submitted a supplementary report of the minority of the Board of Directors for Public Institutions, against the location of the Lunatic Hospital at Winthrop. This report consisted of a letter from George B. Emerson addressed to Samuel C. Cobb. The letter was ordered to be printed and is as follows:

3 FEMBERTON SQUARE, Dec. 7, 1869.

*Samuel C. Cobb, Esq.:*

Dear Sir—I see from your minority report and from what you have been doing in the City Council, that you are opposed to building a new hospital for the insane at Winthrop. I agree with you; and as I have a very deep interest in the management of the insane, and a citizen's interest in the expenditures of the City Government, I take the liberty of addressing you upon the subject.

I have lived a part of nearly every year, for twenty years, in Winthrop, not far from the Winthrop Farm, so called, on which it is proposed to build the asylum. I have walked, ridden, or driven many times in almost every month of the year along the side of the hill, and have walked over it and am perfectly familiar with everything about it.

The climate of Winthrop during the summer months is very healthy and delightful. But every part of Winthrop is necessarily, from its exposure, very windy. At my house, on ground only thirty feet above the sea level, the winds are always fresh, and in the winter excessively violent. We tried one winter's residence there, and found it, almost constantly, so boisterous that it was seldom agreeable to take a walk, and the wind often so strong as to make it nearly impossible for a woman to walk at all.

On the top of the hill, on the Winthrop Farm, the air is delicious in the hottest days of July and August, and in the soft weather of early autumn, and the prospects are very beautiful. A person visiting it on such a day, might think it a charming situation. But on almost every day in the winter half of the year, the winds, from whatever quarter, are so furious that a person who has been once there at that season, would not willingly consent to go again till next summer, even for a climb or a look!

The top is absolutely unprotected. The northwest wind dashes upon it, coming over several miles of unbroken water and marsh. The north and the northeast winds come upon it over nearly the whole length of Lynn Bay, and the east winds reach it after sweeping over the whole extent of Massachusetts Bay. I never saw a place more unfit to build upon anything but a lighthouse or a beacon: and if it were built upon for human habitation there are few days in winter when it would be safe for any but a strong man to walk out. There is scarcely a vestige of a tree there, and it would cost tall fences and high walls and vast trouble and expense to plant trees there.

The site selected for the asylum could be reached only by a long, winding road, which would have to be protected from the winds by lofty walls on each side. Building on that elevated spot would be greatly more expensive than on the plain, as every block of stone, every piece of timber, and the daily supplies for the builders, and for the inhabitants of the house when built, would have to be really lifted upwards to a perpendicular height which would require the expenditure of more force, probably, than would be required to convey those materials from Boston to the foot of the hill. At the foot and on the lower slopes of the hill, it would doubtless be easy to find water. But it is so excessively steep on two sides, that it looks as if it would be impossible to get any in any part of the top, and water would have to be pumped up from a distance, at great and perpetual expense. Fountains, gardens, shrubbery, are all wholly out of the question forever.

No person who had been on the top of that hill in a storm in winter would ever think of building a residence there; and I cannot conceive of a sane person's thinking of it as a suitable site for any building for human habitation, unless he had visited it only in the pleasantest season of the year, and had utterly forgotten the six or seven months during which it must be as bleak, boisterous and inhospitable as Greenland.

I once took Miss Dix, who is as much interested in, and as well acquainted with, everything which relates to hospitals and asylums for the insane as any person living, to the top of this hill. We talked the whole matter over then and there; and I know that she entirely agrees with me in everything I have here said.

Earnestly hoping that a more suitable site may be chosen for the contemplated asylum,

I am yours, respectfully,

(Signed), GEORGE B. EMERSON.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## DECEMBER 13, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at 4 o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

Constable—John W. Savery.

Police officer, without pay—Robert Porter, for duty at and near St. Stephen's church, Purchase street.

PETITIONS PRESENTED AND REFERRED.

Albert Simon, for leave to put out an awning at store 370 Hanover street.

Geo. D. Putnam and others, to be paid for damages caused by change of grade of Water street.

Severally referred to the Committee on Paving.

Co. F, 1st infantry, for improvements in the building used by them as an armory. Referred to the Committee on Public Buildings.

Wm. Minot, Jr., trustee, and others, for apportionment of betterment on Devonshire street.

F. O. Prince and others, trustees, for apportionment of betterment on their estate in Devonshire street.

John Simmons, for apportionment of betterments on Devonshire street.

Severally referred to the Committee on Streets.

James L. Little and others, for a plank walk from Charles street central gate to West street. Referred to Committee on Common, &c.

J. F. Mayo, for leave to build a stable on Wilmont street.

Matthew Cramer and others, against the erection of a stable on Middle street.

Severally referred to the Committee on Health.

Isabella Baxter and other working women of this city, for pecuniary or other assistance this winter, and of Elizabeth L. Daniels and others in aid of the same. Referred to the Committee on Overseers of the Poor.

W. H., Jane G., and Sarah Montague, for abatement of taxes.

Owen Howard, for abatement of tax.

Severally referred to the Committee on the Assessors' Department.

John Reed, for leave to sell fruits, candies, &c., on the streets of this city.

Charles W. Clapp, for license as an auctioneer.

Severally referred to the Committee on Licences.

Daniel K. Wakefield, for compensation for damages to himself and sleigh on Chelsea street bridge. Referred to Committee on Claims.

NOTICES OF INTENTIONS TO BUILD.

P. Doyle, Longwood avenue, between Parker street and Bumstead lane; John F. Mayo, Wilmont street; J. L. Small, on the line of railroad between Pembroke and Newton streets; G. F. Meacham, corner of Washington and Florence streets; B. D. Whitcomb, 143 Tremont street; John McGuckian, Ruggles place; John Joyce, corner of B and Sixth streets; A. J. Tibbetts, Strafford street; Frizzle & Thomas, corner of B and Fourth streets; J. A. Barnard, Eighth street; A. D. Williams, Hampden street, between Island and Foundry street; Richards & Bates, 33 Shawmut avenue. Severally referred to the Committee on Streets.

HEARING ON ORDER OF NOTICE.

The hearing on order of notice, on the proposed laying out of Fifth street, between G and H streets, was taken up. No person appearing, the report was recommitted.

PAPER FROM THE COMMON COUNCIL.

The order authorizing the Committee on Public Buildings to sell by public auction the old buildings on the lot of land owned by the city on Yeoman street was read twice and passed.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Health, on the petition of James L. Miller for leave to erect a stable on Middle street, reported that leave be granted. Accepted.

Alderman White, from the Committee on Licenses, reported in favor of a license to E. Daniels to give a billiard exhibition, Dec. 13th; leave to withdraw on petition of Mrs. D. L. Thatcher for a license for an employment office, No. 7 Green street. Accepted.

Alderman White also reported a license as an innholder, and for the transfer of a wagon license. Severally accepted.

Alderman Richards, from the Committee on Faneuil Hall, reported in favor of the petition of James B. Watkins and others for the use of Faneuil Hall, January 3, 1870, for a festival, on condition that the Hall be closed at or before three o'clock A. M. on the 4th. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Talbot, from the Committee on Claims, reported leave to withdraw on the petition of Charles V. Cuples, to be paid for personal injuries sustained by an alleged defect in Canal street; also, on petition of John Lennon, to be paid for injuries caused by ball players on the Common. Severally accepted.

Alderman Fairbanks, from the Committee on Sewers, reported an order for the collection of sewer assessments, as follows:

Bainbridge street, $3401 66; Kenilworth street, $591 98; Grove Hall avenue, $6055 17; Rockville place, $1939 17; Saratoga street, $1337 95; Princeton street, $3252 36; Albany and Newton streets, $3753 06; High street, $182 71; Sixth street, between C and D streets, $1124 50; do., between L and M streets, $510 28.

The order was passed.

OLIVER STREET BETTERMENTS.

Alderman Talbot, from the Committee on Streets, reported an order giving the valuation of abutting estates on Oliver street, and the amount assessed upon each estate, as made by the Mayor and Aldermen. The contents of lots, as contained in the schedule, amount to 129,468 feet, valued at $626,200; value of buildings, $54,000; total value, $680,200; amount assessed on said estates, $182,998 90.

The order was read once.

COST OF HANOVER STREET WIDENING.

Alderman Talbot, from the same Committee, reported an order with an estimate of damages occasioned by the widening of Hanover street from Court street to Blackstone street. The estimate is as follows: 17,832 square feet of land taken, at a valuation of $303,890; value of buildings before widening, $250,200; value of same after widening $207,000; value of old materials to be cut off, $15,800; damages to buildings, owners and occupants, $332,449; total amount of damages, $636,339.

The order was adopted.

ORDERS OF NOTICE.

On the petition of J. Albert Johnston, for leave to erect a stable on Fifth street, between M and N streets. Hearing Monday, Dec. 20, 4 P. M.

On the petition of M. J. Putney for leave to erect a stable at the corner of Lucas place and Village street, and of John Porter, for a stable No. 95 Heath street. Hearing Monday, Dec. 20, 4 P. M.

ORDERS PASSED.

On motion of Alderman Richards,

Ordered, That the Chief Engineer of the Fire Department be and he is hereby authorized to purchase, under the direction of the Committee on Fire Department, fourteen steam fire engine heaters, at an expense not exceeding $2100, the same to be charged to the appropriation for the Fire Department.

Ordered, That the Chief Engineer of the Fire Department be and he is hereby authorized to organize companies for Engine No. 15, and Hook and Ladder Carriage No. 5, at South Boston.

On motion of Alderman White,

Ordered, That the Superintendent of Health be and he is hereby instructed to deliver two hundred loads of ashes, more or less, on Sawyer street, and that the same be charged to C. J. Spenceley.

Ordered, That the Superintendent of Health be and he is hereby authorized to deliver for the use of the paving department, upon order from the Superintendent of Streets such ashes as he may require, and that the same be charged said department at the rate of twenty-five cents per load.

Ordered, That the Superintendent of Health be and he is hereby ordered to deliver 200 loads of

ashes (more or less), the same to be used for the purpose of filling property on Harrison avenue, and to be charged to John S. Blair, at the rate of twenty-five cents per load.

Ordered, That the Committee on Health be and they are hereby empowered to advertise for the collection of house offal from Ward One for the term of one year from Jan. 1, 1870, and to report to this Board their action thereon.

On motion of Alderman Fairbanks,

Ordered, That the sum of $50 60 be abated from the amount assessed upon Nathan C. Cary for a sewer in Thornton street, and that the same amount be assessed upon Charles A. Maynard.

Also, that the sum of $69 83 be abated from the amount assessed upon Thomas Farmer for a sewer in Mount Pleasant avenue, and that the same amount be assessed upon Alvin G. Bartlett.

Also, that the sum of $23 45 be abated from the assessment levied upon Dudley Hubbard for a sewer in Winthrop street, on account of over-estimate of land.

On motion of Alderman Talbot,

Ordered, That there be paid to Thos. Sprague $2295 for land taken and damages occasioned by the widening of High street, by a resolve of November 17, 1868, to be charged to the appropriation for laying out and widening streets.

Ordered, That there be paid to Thomas Sprague $27,811 for land taken and damages occasioned by the widening of Federal street, by a resolve of December 3, 1869, to be charged to the appropriation for laying out and widening streets.

Ordered, That there be paid to Henry and Margaret B. Sigourney (Henry Sigourney and Joel Richards, trustees,) $9500, for their estate No. 27 India wharf, surrendered to the city and taken by an order of Dec. 10, 1869, to be charged to the Atlantic Avenue Loan.

Ordered that there be paid to Lemuel Shaw and Henry G. Denny, executors and trustees under the will of Alfred L. Baury, and tenants, $12,500 for land taken and all damages occasioned by the widening of Hanover street, by a resolve of Dec. 31, 1868, to be charged to the first Hanover Street Loan.

Ordered, That there be paid to Edward I. Browne, attorney for George Derby Wells, $40,134, for land taken and damages occasioned by the laying out and grading of Sturgis street, by a resolve of July 23, 1869, the said land having been taken in the name of H. H. Hunnewell, R. C. Winthrop and F. B. Crowninshield, trustees, to be charged to the Fort Hill Improvement Loan.

Ordered That there be paid to Nathaniel Whiting $339 for a portion of Lane place, so called, taken for the widening and grading of Oliver street, $269 80 of the amount being an award of October 9, 1865, and the balance being the interest on the award; to be charged to the Oliver Street Loan; also to pay to Nathaniel Whiting $7200 for damages occasioned his estates Nos. 7, 10 and 20 Washington square, by a resolve of July 23, 1869; also, to pay said Whiting $7458 for land taken and damages occasioned by the laying out and grading of Sturgis street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvemennt Loan.

Ordered, That there be paid to Nathaniel Whiting $5000 for damages occasioned by the grading of Hamilton street, by a resolve of July 23, 1869; also to pay said Whiting $804 95 for net proceeds of sale of old building materials on his estates Nos. 20, 10, 7 and 6 Washington square and 1 Mariner's place, sold at auction by the city; also to pay to said Whiting $4500 for damages occasioned by the grading of Purchase street, by resolve of July 23, 1869—severally to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Adeline M. Whiting (Nath'l Whiting, attorney,) $1358 for land taken and damages occasioned by the laying out and grading of Sturgis street, by a resolve of July 23, 1869; also to pay to Adeline Whiting $4500 for damages occasioned estate at the corner of Washington square and Oliver street by the grading of the latter street, the last to be charged to the Oliver Street Loan, and the other to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Margaret Bralley $9000 for land taken and all damages of every nature occasioned by the widening and grading of Hamilton street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Wm. Moakley $4986 25 for land taken and damages occasioned by the widening and grading of Purchase street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That in the settlement of damages occasioned by the laying out of Lamartine street, by a resolve of December 10, 1869, through land of Thomas Gaffield, that the city assume and pay all betterments that shall be assessed on said Gaffield's land abutting on said street, in consequence of said laying out, provided the said Gaffield will give the city a deed of the land taken from him to lay out said street, and will release all damages of every nature in consequence of said laying out and the subsequent grading thereof.

On motion of Alderman Bradlee,

Ordered, That when the Board adjourn, it be to Thursday, 12 M.

Aldermen Bradlee, White and Van Nostrand were appointed a committee to examine the returns of votes for Mayor and Aldermen.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## DECEMBER 16, 1869.

An adjourned meeting of the Board of Aldermen was held at twelve o'clock, today, Mayor Shurtleff in the chair.

PETITIONS PRESENTED AND REFERRED.

Patrick F. Stanton, to be paid for injuries sustained by himself and wagon by an alleged defect in Grove Hall avenue. Referred to the Committee on Claims.

Reuben L. Garlick, for leave to build a stable on Bowen and Sherman streets. Referred to Committee on Health.

VOTES FOR MAYOR AND ALDERMEN.

The Committee appointed to examine the returns of votes cast in the several wards of this city on the 13th inst. for municipal officers, made a report that the several returns appear to be properly made, and the results are correctly recorded in the book kept for that purpose, from which it appears that the following persons, who have a plurality of votes, have been duly chosen as Mayor and Aldermen of this city for the ensuing municipal year, viz:

Mayor—Nathaniel B, Shurtleff.

Aldermen—Robert Cowdin, Nehemiah Gibson, Albert S. Pratt, Newton Talbot, Walter E. Hawes, Christopher A. Connor, Francis W. Jacobs, G. T. W. Braman, George W. Pope, Henry L. Pierce, George O. Carpenter, Charles E. Jenkins.

The Committee recommend that the City Clerk be directed to notify the foregoing persons of their election.

J. T. BRADLEE,
EDWARD A WHITE,
WM. T. VAN NOSTRAND.

The official vote for Mayor is as follows: Nathaniel B. Shurtleff 13,054; George P. Baldwin 4799; Nathaniel E. Chase 206; George H. Johnston 338; scattering 50.

VOTE FOR ALDERMEN

G. T. W. Braman 11,348; Henry L. Pierce 11,370; Nehemiah Gibson 11,192; Albert S. Pratt 9645; Newton Talbot 10,896; Walter E. Hawes 9281; F.W. Jacobs 9640; George O. Carpenter 11,066; Lewis Rice 7546; Christopher A. Connor 9226; Charles E. Jenkins 10,768; Edward F. Porter 6909; James M. Keith 7743; George W. Pope 8850; Charles Richardson 8635; Moses Fairbanks 4974; Cornelius F. Driscoll 6591; Robert Cowdin 8740; L. R. Cutter 7763; S. R. Spinney 7871; Edward Hamilton 6876; Thomas L Jenks 6846; B. F. Hebard 6676; R. W. Robinson 6771; Samuel Rice 6643; J. L. Stevenson 3968; Charles Stanwood 2940; John Mack 299: William M. Cornell 138; George W. Chipman 349; Josiah H. Carter 335; Martin Griffin 337; J. H. Roberts 344; H. D. Cushing 341; H. H. Leavitt 329; Alvan Simonds 344; Warren Partridge 269; E. A. White 30; Cornelius Driscoll 12; all others, 116.

OLIVER STREET BETTERMENTS.

The order assessing betterments on the several estates abutting on Oliver street, for the widening and grading of Oliver street, was considered, on its second reading.

Alderman Richards inquired whether the passage of the order would have any effect in case it appeared that some of the parties had not been fully compensated, in preventing them from obtaining such compensation as they may be entitled to.

Alderman Talbot replied that he thought it would have no effect. It was necessary that this order should be passed, to comply with the provisions of the law. If any relief must be granted it must come afterwards. Anything which may be paid out of the city Treasury on this account must be as on the ground of other claims.

Alderman Richards further inquired whether if this was passed through now, it might not be more difficult to obtain the payment of claims referred to.

Alderman Talbot, in further reply, said this matter would not go to the Common Council. The Board must go in accordance with the act of the Legislature, and if the city should see fit to relieve the parties, it would do so in accordance with other claims. The extra cost of grading was not charged to these abutters, and the city would be obliged to pay $150,000 besides the cost of paving, &c. The act being a stringent one the city had been more lenient on that account, and made the expense as low as possible. The parties had also been relieved from $26,000 to $30,000 on Fort Hill grading. If there were any complaints of hardship it was on account of delay in the grading, to make the property available, and in not allowing enough for the value of the estates, by which means their assessments for betterment were lessened. The order was passed.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, made a report revoking the wagon license of George W. Lovewell & Co. on Washington street, near Pine street. Accepted.

Alderman Seaver, from the Committee on Police, reported no action necessary on the petition of T. F. Lucas and others, relative to the steeple of the church on Ruggles street. Accepted.

Alderman White, from the Committee on Public Instruction to whom was referred the request of the School Committee that the City Council would furnish a room in the Mather School building formerly occupied by the police, for the accommodation of two classes of scholars, from the Lawrence school, having considered the subject, recommend the passage of the accompanying order:

Ordered, That the Committee on Public Buildings be authorized to make such alterations in the rooms of the Mather School building, formerly occupied by the police, as may be required to furnish accommodations for two classes of scholars from the Lawrence School, and to transfer the furniture for said rooms from Jenkins block, the expense to be charged to Primary Schools, Public Buildings.

Read twice and passed.

Alderman James, from the Committee on Finance, to whom was referred the order of the Board of Aldermen, transferring from the Reserved Fund $4000 for grading the inclosure on Commonwealth avenue, between Berkeley and Clarendon streets, made a report that it ought to pass.

They also reported on the requests of the Committee on Sewers and the Trustees of the Public Library, for additional appropriations, also referred to them, an order making certain transfers to meet said requests.

They would also report that the Auditor of Accounts represents that the balance of appropriation for Incidental Expenses, $8716 62, is not sufficient to meet demands already incurred, and that will be chargeable under that head, and in view of these facts, and in consultation with the Auditor of Accounts as to the amount which he estimates will be wanted for the balance of the present financial year, the committee recommend that thh sum of $10,000 be transferred from the Reserved Fund to said appropriation, provided in the accompanying order:

Ordered, That the Auditor of Accounts be authorized to transfer from the Reserved Fund to the appropriation for Incidental Expenses $10,000; to that for Sewers, $6000; to that for Public Library, $3000; from the appropriation for Stony Brook sewer to that for Back Bay Surface Drainage, $11,500.

Ordered, That there be transferred from the Reserved Fund to the Appropriation for Common and Public Squares, the sum of $4000, to be expended in grading the promenade on Commonwealth avenue, between Berkeley street and Clarendon street.

Alderman Seaver, from the Joint Special Committee who were authorized by an order of the City Council, passed October 15, 1869, to negotiate, with full powers, for the purchase of the franchise, property, rights and privileges owned or held by the East Boston Ferry Company, for a sum not exceeding two hundred and seventy-five thousand dollars, beg leave to report, that they have negotiated with the ferry company for the purchase of the property upon the terms and conditions described in the contract hereto annexed, the form of which is approved by the City Solicitor.

The Committee would respectfully recommend the passage of the accompanying order, authoriz-

ing the Mayor to execute the contract in behalf of the city of Boston:

Ordered, That His Honor the Mayor be authorized to sign, seal and deliver the indenture (a copy of which is appended hereto) between the city of Boston and the East Boston Ferry Company, for the purchase of the franchise and property of said company.

The order was read twice and passed.

ORDERS OF NOTICE.

On the proposed laying out of Prentiss street, between Tremont and Parker streets. Hearing, Monday, December 27, 4 P. M.

On the proposed laying out of Mindora street between Station and Prentiss street. Hearing Monday, December 27, 4 P. M.

On the proposed laying out of Windsor street, between Ruggles and Weston streets; of Weston street, between Tremont and Windsor streets; and of Halleck street between Station and Ward streets. Hearings Monday, Dec. 27, 4 P. M.

ORDERS PASSED.

On motion of Alderman Talbot,

Ordered, That the Committee on Ordinances be requested to consider and report upon the expediency of so amending the ordinance relating to the public health as to provide for a separate department to have charge of and to furnish the teams required in the several departments of the city.

Alderman Talbot, in explanation of the order, said he had nothing to question in relation to the management of the Health Department, but in consideration of the great amount of business under its charge, he thought it would be well to divide its duties, and place the management of the teams under a separate department.

On motion of Alderman James,

Ordered, That the Superintendent of Streets be directed to grade Kendall street with ashes, at an estimated cost of $1000.

Ordered, That there be paid to Thomas and Mary Haney the sum of $3900, in full compensation for damages to their estate, Nos. 16 and 18 Broadway, by the raising of the grade of said Broadway, upon their proving their title to said estates to the satisfaction of the City Solicitor, and upon their giving to the city an acquittance and discharge for all damages, costs and expenses on account of the raising of the grade of said Broadway, the same to be charged to the Appropriation for Broadway.

Ordered, That there be paid to S. G. Rogers the sum of $350 in full compensation for all damages done to his estate on Lambert street by the change in the grade of said street, upon his proving his title to said estate to the satisfaction of the City Solicitor, and upon his giving to the city an acquittance and discharge for all damages, costs and expenses on account of the change in the grade of said street—the same to be charged to the Appropriation for Paving.

On motion of Alderman Seaver,

Ordered, That the Committee on Ordinances be requested to prepare and report to the City Council an ordinance to establish a Board of Directors for the East Boston Ferries, also to report whether any further legislation is needed to enable the city to maintain and operate the ferries between East Boston and the city proper.

On motion of Alderman Rice,

Ordered, That the sum of $1500 be appropriated towards the alterations and repairs required on the jail, the wooden fence around the same, rear of Cambridge street, and the moving of buildings within the line of the new brick fence; said sum, together with the sums heretofore appropriated this year for alterations, &c., on the jail and grounds, exceeds the sum of $5000, and is to be charged to the appropiation for the county of Suffolk.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## DECEMBER 16, 1869.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PETITION PRESENTED AND REFERRED.

Methodist Centenary Church, South Boston, for a remission of a tax. Referred to Committee on Assessors' Department.

PAPERS FROM THE BOARD OF ALDERMEN.

The petitions of Daniel K. Wakefield, Isabella Baxter and other working women, and of Patrick F. Stanton, were severally referred in concurrence.

Report, leave to withdraw, on the petition of Charles V. Caples, to be compensated for personal injuries sustained from an alleged defect in Canal street; also, leave to withdraw on the petition of John Lennon, to be paid for injuries received from ball-playing on the Common, were each accepted, in concurrence.

The order authorizing the Committee on Public Buildings to make such alterations in the rooms of the Mather School building, formerly occupied by the police, as may be required to furnish accommodations for two classes of scholars from the Lawrence School; and to transfer the furniture for said rooms from Jenkins block, was read once.

The order appropriating $1500 towards alterations and repairs on the jail, fences, &c., about the same, was read once.

The following orders were read twice and passed:

Order upon the expediency of an ordinance to provide for a separate department to have charge of teams for the several departments of the city.

Order to transfer from Reserved Fund $4000 to be expended in grading the promenade on Commonwealth avenue. Yeas 40, nays 1—Crowley.

Order to transfer from the Reserved Fund to the appropriation for Incidental Expenses $10,000; to that of Sewers, $6000; to that for Public Library, $3000: from the appropriation for Stony Brook Sewer to that for Back Bay Surface Drainage, $11,500.

Order authorizing the Mayor to sign, seal and deliver the indenture between the city of Boston and the East Boston Ferry Company, for the purchase of the franchise and property of said company.

Order for the preparation of an ordinance to establish a Board of Directors for the East Boston Ferries, and an inquiry whether any further legislation is needed to enable the city to maintain and operate the ferries between East Boston and the city proper.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order to take, for the purpose of laying out Atlantic avenue, the estate on India wharf, surrendered to the city by Luey and Calvin Ellis.

Order to purchase the estate of Abram French, in settlement of damages for the widening and grading of Hamilton street, at the sum of $11,000.

Order to purchase the estate of John Paine, in settlement of damages for the laying out and grading of Hartford street, at the sum of $4000.

Order to purchase the estate of J. F. Bailey, at the sum of $3900, in settlement of damages for the laying out and grading of Hartford street.

Order for the change of location of closets and building of new drains in the cells of Police Station No. 6.

In reply to an inquiry of Mr. Wadsworth, whether the above order had been in the hands of any committee, Mr. Keith said that it had been, and that they reported that the alterations were fit and proper to be made. A motion to refer to the Committee on Public Buildings by Mr. Wadsworth was withdrawn.

Order to transfer from the appropriation for Primary Schools, Public Buildings, $1000 to the appropriation for Grammar Schoolhouse, Ward Nine; and $2500 to that for Grammar Schoolhouse, Ward Twelve.

Order to transfer the appropriation for a fence around the Comins Schoolhouse to the special appropriation for altering said schoolhouse.

Order to pay J. M. Gardner $8000 for his Patent Fire Alarm Telegraph system, and for a transfer of said amount from the Reserved Fund.

Order to transfer $100,000 from the Reserved Fund for the completion of work already commenced, or which cannot be avoided, in keeping the streets in proper repair.

Order authorizing 3095 feet of the city lot on the corner of Palmer and Winslow streets to be added to the yard of the Eustis Street Primary Schoolhouse, and the remainder of said lot to be sold at auction.

The order requesting the Mayor to petition the Legislature for an act to establish a Board of Commissioners on laying out and widening streets in the City of Boston, being under consideration,

Mr. Rich of Ward Fourteen stated that it would be noticed there was a minority report which he signed, for he had been unable to agree with the majority of the committee. Calling attention to the original order of the Council, he said there was a change made by the Board of Aldermen, differing a little, although much the same. The subject had often been before the City Government, and in 1866 a report was made, by which it appeared the committee were unwilling to intrust the business entirely to commissioners, without the concurrence of the City Council.

A report was made in 1867, in which the Committee more fully objected to the giving of power to such Commissioners without the control of the City Council. The Committee on Ordinances had not had sufficient opportunities to consider the subject fully enough to act understandingly on it. It had but a casual attention of the Committee, yet the Committee had reported an order defining the duty of the Commissioners. This order allowed no control to the City Council over such Commissioners, and it was impossible to remove them or to impeach them under the proposed conferring power upon them.

Further, it took from the Common Council all control over streets. The commissioners were to be appointed by the Mayor, with the approval of the Board of Aldermen. There was no control over them by the Board of Aldermen, and there were no means of preventing any extraordinary expenditures of money by such a Board.

In reply to a question of Mr. Denny whether he was present at all meetings of the committee, in relation to this subject, Mr. Rich said he believed he was.

Mr. Denny of Ward Ten said he did not remember any want of consideration of the subject by the Committee on Ordinances. If the gentleman had not given any attention to the subject, he thought it was not true of other members. He had the impression that the gentleman from Ward Fourteen was not present at all the meetings when the subject was under consideration.

Mr. Rich replied that he was present at all such meetings.

Mr. Denny further remarked that the subject did receive the attention of the committee quite fully, and he doubted whether any future committee would give any more attention to the subject. The committee not only consulted with the City Solicitor, but with the Committee on Streets of the Board of Aldermen. Further, in relation to the powers of the Commissioners, they not only had no more power than the Board of Aldermen, but the same restrictions were provided for, as in the powers of the Board of Aldermen.

He was not aware that there was to be a minority report until it was presented, and in the belief that it was desirable the order should be passed, he hoped it would be passed tonight.

The order was read a second time and passed.

COMMUNICATION RELATING TO THE SITE OF A LUNATIC HOSPITAL.

The following communication was laid before the Council:

OFFICE OF BOARD OF DIRECTORS FOR PUBLIC INSTITUTIONS, Boston, Dec, 16, 1869.

*To the Hon. the City Council of Boston:*

Gentlemen—The Board of Directors for Public Institutions again transmit to the City Council certain information which has been received by them in relation to the Winthrop Farm as a site for a Lunatic Hospital.

An impression has obtained credence in the public mind through newspaper contributions and letters from distinguished gentlemen, from which the inference has been drawn that the town of Winthrop is unfit for human habitation, or if not entirely so, is objectionable on account of its sterile soil and exposure to inclement weather.

The annexed communications from the town of Winthrop, signed by citizens who have long been residents of the place, exhibiting the peculiar fitness of the location for residences or cultivation of the soil, bear directly upon the question at issue.

The Board deemed these to be of importance in view of the erroneous impression that the City Government had purchased a location absolutely objectionable on account of sterility and exposure. To secure the best possible site, the Board of Directors, through a committee, visited Mr. Emerson's place, and spent several hours in the examination of it. Mr. Emerson showed them his entire farm, pointed out its advantageous location, called attention to its production of shade and fruit trees, vines, and vegetables, and generally extolled its rare adaptedness to the requirements of a hospital for the insane. Nothing was said in regard to the impossibility of occupying it in the winter season.

We subjoin letters from ex-Mayor Lincoln and ex-Director Moses Kimball in relation to the above visit.

We also transmit a note from the Codman heirs, dated June 19, 1865, offering the entire estate of the late Rev. Dr. Codman, including the mansion house, farm house, stable, barn, and seventy acres of land, for the sum of $55,000.

Respectfully, J. P. BRADLEE,
President Board of Directors for Public Institutions.

LETTER OF COMMITTEE OF CITIZENS OF WINTHROP.

WINTHROP, Dec. 14, 1869.

*To the Board of Directors for Public Institutions, City of Boston:*

Gentlemen—The undersigned, a committee of the citizens of Winthrop, ask your attention to the following statement in reference to the subject-matter of the published reports and communications in relation to the location of the new Lunatic Hospital, especially to the letter of Hon. Geo. B. Emerson, recently addressed to Mr. Samuel C. Cobb.

We take exceptions to the purport of that letter on the ground that it is not a fair and truthful statement of facts in the premises.

First. As to climate, we beg leave to refer you to the accompanying statement of the Board of Health.

Second—As to the soil and its productions we have to say, we think they will compare favorably with those of most towns in the Commonwealth. It is very certain that our farmers raise good crops and that our fruit trees are especially prolific. A farm located on Great Head, a bluff or headland quite as much exposed to storm and high winds as any part of Winthrop Farm, is as productive as any farm in the vicinity of Boston; besides splendid crops have been raised on the Winthrop Farm itself, and on some of its highest inclosures. Years ago there was a beautiful and prolific apple orchard on the upper or higher portion of this same farm. There were large forest trees which unfortunately have been cut down, a few of which, however, still remain.

As to water, there is a well on the old farm which in the dryest times has supplied and does supply the neighborhood and Point Shirley with water. Still further, there are three living springs of water on the highest lands of the same. As to accessibility, there are several farm horses in town that will draw a ton weight to the top of the highest hill on the premises. Other points we might controvert, but do not deem it important.

We will add, however, that as to cold winds, it is true that they are sometimes not only tresh but strong, and where in Massachusetts or New England are they not? We have one advantage, however, they are remarkably pure, vitiated in no respect by poisonous evaporations from any miasmatic sources. Allow us to call your attention to the accompanying statements of some of our oldest and most reliable citizens.

Respectfully,
JOHN BELCHER, Chairman,
SAMUEL INGALLS, Secretary
Citizen's Committee.

BOARD OF HEALTH OF WINTHROP.

The Board of Health, of same date, in a letter to the Directors of Public Institutions, after stating that they had read the several communications relating to the site of a Lunatic Hospital at the Winthrop Farm, say:

While we do not wish to enter into any controversy in relation to the location of the Hospital, we do desire to remove false impressions which may have been made by Mr. Emerson's letter.

We have been residents of Winthrop for many years, and our relations to the town have afforded us ample opportunities of knowing what we affirm.

As to the climate, it is a demonstrable fact that the weather is not so severe as in the city of Boston and most suburban towns. It is a fact that in our coldest weather the mercury indicates from five to ten degrees higher temperature than there or in Dorchester. It is a fact, moreover, that the temperature varies less here both in winter and summer—being modified by the surrounding waters—than in most localities in the vicinity of Boston. As proof of this we cite a fact which, with medical men especially, will have weight, viz: that diseases peculiar to severe and vacillating climates, are not prevalent. Pneumonia and other diseases of the lungs are quite rare; diphtheria very unusual. Persons who have been subject to throat diseases elsewhere are nearly exempt from them here. This immunity from this class of diseases must be attributed partly, if not chiefly, to the modified state of the air, together with its remarkable purity.

Other conditions, we are aware, lend their contribution to health, such as an undulating surface of the town, the peculiar dryness and porosity of the subsoil, affording perfect under drainage; the absence of miasmatic exhalations or poisonous evaporation from decompositions, either vegetable or animal; the purity of the water; the beautiful and changing scenery, and the quiet, orderly, thrifty and cleanly habits of the people.

Signed by all the members of the Board of Health, including Drs. H. S Soule and Samuel Ingalls.

LETTERS OF CITIZENS OF WINTHROP.

James M. Belcher writes that his orchard of apple trees of thirty years' growth is healthy, although situated on the extreme easterly slope of the town, and he has been very successful in raising shrubbery, forest and ornamental trees, and he attributes his success to exemption from early and late frosts. The Winthrop Farm he believes to be as well adapted to the growth of trees as is his own farm.

P. P. Floyd writes that his orchard joins the city farm, on the west side, and is more exposed, and an orchard which belonged to his brother, also adjoining the city farm, had always borne fruit abundantly.

EX-MAYOR LINCOLN ON THE WINTHROP SITE.

Ex-Mayor Lincoln writes that he visited the estate of Mr. Emerson, at his request, for the purpose of examining it for a location of a Lunatic Hospital. The price for 31½ acres was $26,000. It was thought the estate was not large enough for the purpose. The proprietor of the estate at that time thought it was admirably adapted for hospital purposes, and interested his visitors by his comprehensive and liberal views as to the privileges which such a site would afford to the unfortunate inmates of the institution.

MOSES KIMBALL AND MR. EMERSON'S ESTATE.

Mr. Kimball writes in relation to an examination of Mr. Emerson's estate, in company with the Mayor, Dr. Walker and others, and of meeting Mr. Emerson: "He conducted us over the premises, showed us the boundaries of his estate, and spoke of a right of way belonging to Judge Loring which ran through the territory near the middle of it." This last being an objection, caused a discussion as to whether Judge Loring's estate could be bought, and Mr. Emerson thought he would sell. "Mr. Emerson showed us the vegetables growing, commending their fineness, called attention to some grape vines and the fruit upon them, and to the trees and shrubbery, as evidences of the excellence of the soil for their growth." The committee left with favorable impressions, and hoped that arrangements might be made to secure the estate, but abandoned it on a more favorable impression of the Winthrop farm.

THE CODMAN ESTATE.

BOSTON, June 19, 1865.

Sir: In accordance with your proposal, we offer you the estate in Dorchester belonging to the heirs of the late Rev. Dr. Codman, comprising the mansion and farm-house, stable and barn, with seventy acres of land, for the price of $55,000.

JOHN CODMAN,
for the other heirs and himself.

Apply to Robert Codman, 27 Kilby street, for further particulars.

To Moses Kimball, Esq., President Board of Directors for Public Institutions.

The communication and accompanying papers were laid on the table and ordered to be printed.

REPORTS OF COMMITTEES.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, made a report that an addition to the amount originally authorized to be expended will be needed to complete the alterations on Engine House No. 9 and Hook and Ladder House No. 1. The extra expense on Engine House No. 9 is for rebuilding the side walls to a thickness of twelve inches, the original thickness being eight inches, which was not considered strong enough to support an additional story. The expense of this will be about $15,000. The extra expense on Hook and Ladder House No. 1 is for fitting up some of the rooms for a tenement for the driver, which will pay a yearly rental of $200; about $1000 will be needed to make this alteration.

The Committee would, therefore, respectfully recommend the passage of the following order:

Ordered, That the Committee on Public Buildings be authorized to rebuild the walls of Engine-house No. 9, and fit up a tenement in Hook and Ladder House No. 1, the expense to be charged to the appropriation for Public Buildings.

The report was accepted and the order was read twice and passed.

Mr. Keith, from the same Committee, who were requested to obtain plans and estimates for the enlargement or alteration of the Library Building on Boylston street, made the following report.

In accordance with the request of the City Council, the Committee invited an architect to confer with the Board of Trustees of the Library and make such sketches for the enlargement or alteration of the present Library Building as might be suggested for the purpose of adapting it to the present and future wants of the community.

Much time and attention have been given to the subject by the architect and the officers of the Library, and the results of their labors are presented in several drawings, showing the different arrangements which may be made to furnish accommodations on the lot now owned by the city, and also showing an enlargement of the present area by purchasing estates on either side. The Board of Trustees appear to have become convinced that proper accommodations, both as regards space and those important requisites, light and air, can be furnished only by purchasing additional land.

In their annual report, now being printed, they state that "the Library must have more room. Almost every department requires enlarged conveniences. The establishment of branch libraries will probably relieve the distributing room of a portion of our borrowers, but it will even then be insufficient. The visitors of the reading room already exceed the limits framed to fulfil the conditions of the Bates donation. The Trustees have availed themselves of the walls of the public rooms of the lower story for the purpose of displaying a portion of the magnificent gift of Mr. Appleton; but these treasures of art cannot be shown without trespassing on apartments devoted to other uses.

Every day must necessarily add to the difficulties of the situation. Books must be placed upon the shelves, classifications continued, the work of preparation for use must go forward, and every department, so far as is practicable, kept in complete condition. These necessities may possibly be controlled for a short season in the present building; but it must be remembered that any change of site will require long preparation, not only on account of the proper construction of an edifice, but also for the removal and rearrangement of the books, and for the preparation and publication of entirely new catalogues for the whole collection. Under these conditions, it may become the part of economy to obtain land adjacent to the present site, although the expenditure for the same may be very considerable."

In view of the large expense involved in the purchase of the adjoining estates, and the enlargement of the building, the committee do not feel justified in asking the City Council so near the close of the year, to take any action upon such an important subject, and they would, therefore, recommend that it be referred to the next City Council.

The report was accepted.

Mr. Tucker of Ward Six, from the Committee on the Fire Department of the Common Council, to whom were referred the orders to enlarge and remodel Hose House No. 9, on B street, South Boston, for the accommodation of an engine and hose company, at an estimated expense of $10,000, made a report that as there are differences of opinion in regard to the expediency of making the alterations proposed in the house on B street, or of erecting a new house on E street, they would recommend that the subject be referred to the next City Council.

The report was accepted.

The order was laid on the table.

Mr. Hobbs of Ward Fourteen, from the Committee on Public Instruction, offered the following orders:

Ordered, That the Committee on Public Buildings be authorized to make such alterations as may be required in the plans for the roof of the new Normal School building, to afford facilities for astronomical studies, the expense of such alterations to be charged to the appropriation for the Girls' High and Normal School.

The order was read once.

Ordered, That the Committee on Public Buildings be authorized to hire rooms at No. 11 Pemberton square, at an annual rental not exceeding $1500, and furnish said rooms for the accommodation of the school for deaf mutes, the expense thereof to be charged to the appropriation for Grammar Schools, Public Buildings.

The order was read once.

Ordered, That the Committee on Public Instruction be authorized to purchase thirteen thousand seven hundred and fifty square feet of land on the corner of Sixth and I streets, at an expense not exceeding $6700, for the purposes of a primary schoolhouse.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $7000, the same to be applied to the purchase of land for a primary schoolhouse on the corner of Sixth and I streets.

Mr. Hobbs moved a suspension of the rules for the passage of the order, stating that much attention had been given to the subject, there was an urgent demand for the proposed schoolhouse, this was the best lot that could be procured, and it was to be had at a reasonable price.

Mr. Wells of Ward Three said it was late in the season for building, and he moved that the orders be referred to the next City Council.

Mr. Hobbs replied that the schoolhouse was much needed, and that schoolrooms were hired outside of the schoolhouses at considerable expense.

Mr. Wells said there were so many schoolhouses building it would be better to complete them before commencing any more

The motion to refer was carried, by a vote of 14 to 11.

Mr. Keith of Ward Fifteen offered the following order:

Ordered, That his Honor the Mayor be requested to petition the next Legislature for the passage of an act to so amend the city charter as to provide that from and after the year 1870, the Board of Aldermen shall consist of sixteen members, one member to be chosen from each ward by the legal voters thereof.

Mr. Keith said it would be remembered that when the City Government was established the city was but small in extent, and in the election of twelve Aldermen from twelve wards, no inconvenience was suffered. It was not until the acquisition of new territory, that inconvenience was felt from an unequal distribution of Aldermen. In the last three years territory has been acquired twice as large as the original territory, and there are yet but twelve Aldermen. No provision is made that each section of the city may be represented in the other branch, and there is nothing to prevent all of these Aldermen from being cho-

sen from one ward. The heart of the city has an advantage which may be used to the injury of the suburbs, and by means of combinations it may control the entire Board.

Under the present arrangements, Roxbury had no Alderman this year, and will have none in 1870. There are forty miles of streets for which there is no surveyor, and 40,000 citizens are taxed for laying out and grading streets, in relation to which they have no one of their number who has a special interest in their behalf. There is a great hardship and great wrong in this matter, which should commend itself to the judgment of every member of the City Government. This hardship and wrong can be corrected only by enlarging the Board of Aldermen to one from each Ward, so that combinations cannot deprive the outskirts of a representative in the Board. It not corrected, as proposed, the wrong may go on indefinitely.

The order does not provide for a change until after next year. With a compact territory, there was no necessity for the selection of one Alderman from each ward, but now, when the territory and population have become so large, an Alderman from one section cannot be familiar with the interests of another. East Boston cannot know what may be for the interests of the Highlands, nor the Highlands know what may be for the interest of East Boston. The citizens of each ward must be the best judge of the wants of that ward, and justice should be done by leaving to each ward to judge what is best for it. He did not wish for the passage of the order now, but hoped it would ultimately pass, and would be in favor of reducing the number of members of the Council to three from each ward, which he hoped also would be done.

This matter he considered of vital interest to the section of the city which he represented, and he would not jeopardize this amendment by other propositions. He would cheerfully go for a reduction of the members of the Council to three, but would act on that or other proposed amendments separately from this. The amendment was of a specific character not affecting this branch, nor the other until another year, and he hoped it would pass.

The order was laid over.

Mr. Hobbs of Ward Fourteen moved a suspension of the rules that the order relating to rooms for the School for Deaf Mutes might take its second reading.

Mr. Jenks inquired whether it would not be cheaper to educate the deaf and dumb at Hartford, where they had better facilities for education.

Mr. Wells of Ward Three wished to know if a primary schoolhouse had not been offered for this school.

Mr. Hobbs replied that no such house had been offered, and it was desirable in accommodating all who may attend from different sections of this city by having convenient access by cars. The request for the rooms was very urgent, and it was expected that paying pupils would be received from other places.

Mr. Keith of Ward Fifteen said he had an impression that this matter had once been reported upon adversely. He could not see the need of such a school, and there could not be unless there could be found pupils enough to make it an object. He believed it would be cheaper to have such pupils sent to Hartford.

Mr. Wadsworth of Ward Four stated that an adverse report was made because the subject did not come rightly before the City Council, as provided by the city ordinances, and that was the only reason.

Mr. Wilkins of Ward Nine said the School Committee had established a school, hired teachers, and Mr. King, a member of the committee, had partially engaged rooms; which was reported against for not being properly brought before the City Council. It was very desirable that rooms should be provided for the school. Others stand ready to pay part of the expenses, and the Governor had informed the committee that some of the pupils would be taken from Hartford and placed in this school. It was desired also that the pupils should be at home, when it was possible, and all that the committee is waiting for, is to obtain these rooms.

Mr. Wells inquired if the school was in operation, and if so, where?

Mr. Wilkins said the teachers now visit the residences of the scholars to instruct them.

Mr. Wells said he was pretty sure the city had a primary schoolhouse in Bumstead court, which was convenient and was accessible by cars. He therefore moved that the order be laid on the table, and that the chairman of the committee inquire whether that schoolhouse might not be had for the purpose.

The motion to lay on the table was carried.

Mr. Osborn of Ward Six inquired what instructions were given to the Committee.

The Chair replied that there was no question of instructions before the Council.

Mr. Rich of Ward Fourteen said the motion was accompanied by instructions.

The Chair stated that the order had been laid on the table, and there could be no further action on it. Adjourned.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## DECEMBER 20, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon at four o'clock, Mayor Shurtleff presiding.

NOMINATIONS MADE AND APPROVED.

Undertaker—John Lavery.

Special Police Officers without pay—Sampson W. Pollard, for New Era Hall, No. 176 Tremont street; Henry Watt, Jr., for Fort Hill and Atlantic avenue.

PETITIONS PRESENTED AND REFERRED.

Thomas Hulk, to be paid for damages to his property by a change of line in Dorchester street.

William Clark and others, that Windsor street, from Ruggles street to Weston street, be called Clark avenue.

Solon W. Bush, to be paid for grade damages on Lambert street.

George C. Leach and others, that the name of Putnam street in Ward One be changed.

John R. Mullin, to be compensated for grade damages on Harrison avenue and Pine street.

Lucius W. Knight, to be paid for grade damages on Harrison avenue and Pine street.

Severally referred to the Committee on Paving.

Jonathan N. Hatch, Jr., against the proposed extension of Washington street. Referred to the Committee on Streets.

A. Firth and others, against the removal of Hose Carriage No. 2 from Hudson street to East street. Referred to Committee on the Fire Department.

P. J. Huse, for leave to sell oranges in Bowdoin square. Referred to the Committee on Licenses.

Wm. A. Guild for modification of conditions of sale of land on Fourth street. Referred to Committee on Public Lands.

George Tyler Bigelow and others, for further accommodations for the Registry of Deeds. Laid on the table and ordered to be printed.

NOTICES OF INTENTION TO BUILD.

James Malone, Seventh street, between E and F streets; N. Adams, Chauncy street, between Summer and Bedford streets; R. L. Garlick, corner of Bower and Sherman streets; John E. Brown, Bennington street, between Meridian and Marion streets; T. P. Briggs, Beacon street, between Exeter and Fairfield streets; Timothy Kinahan, 39 Mechanic street; D. A. Berry, K street, between Sixth and Seventh streets; J. F. & D. J. Haines, 57 Havre street, and on court rear of 16 and 18 White street; S. H. L. Pierce, Woodward street; John Perkins, Summer street; Richardson & Young, 123 North street; James Milligan, Ontario street. Severally referred to the Committee on Streets.

HEARINGS ON ORDERS OF NOTICE.

The hearing on the proposed laying out and acceptance of Boylston street, from Berkeley to Clarendon street, was taken up, and no person appearing, the report was recommitted.

The hearing on the petition of M. J. Putney for leave to build a stable at the corner of Lucas street and Village place, and of John Porter for leave to erect a stable at 95 Heath street, were taken up, and the reports were recommitted.

RAILROAD LOCATION ON SUMMER STREET.

The hearing on the petition of the Metropolitan Railroad Co. for a location from Dover street through Albany street to Beach street, and over the tracks of the South Boston Railroad to Lincoln street, through Lincoln and Summer streets to Washington street, was taken up.

Mr. Wallis inquired whether due and proper notice had been served upon the abutters, for he had seen several on Lincoln street who had not known of the proposed location on Lincoln street.

The mayor stated that notice had been published in several of the daily papers for a number of days.

Mr. Wallis objected to the occupation of Lincoln and Summer streets for a railroad track, the city government having hitherto refused to grant a location in Summer street before it was so fully occupied by stores. He objected particularly to the occupation of Lincoln street, which was too narrow now for its business. The city had expended a great amount of money for the widening of streets, and wisely, and he thought it would be very objectionable to locate a railroad track through this street.

The following remonstrance was read:

*To the Honorable Mayor and Aldermen:*

The undersigned, believing that the location of a railroad through Summer street would be injurious to the public interest, and unfavorably affect those who have occasioned the improvement of real estate in that and neighboring streets, to which they were incited by the convenience of and necessity for street room as well as stores, earnestly petition your honorable Board not to grant the petition of the Metropolitan Railroad Company.

E. R. Madge, Sawyer & Co.,
James M. Beebe & Co.,
Wheelwright, Pippy & Anderson,
F. Skinner & Co.,
Sawyer, Mansfield & Co.,
Mitchell, Green & Stearns,
Tebbetts, Baldwin & Davis,
Smith, Stebbins & Co.,
Farley, Amidon & Co.,
Faxon, Elms & Co.,
Hardy, Brown, Goss & Co.,
C. E. King & Co.,
Gould, Dyer & Peabody,
Gilbert Lovejoy & Co.,
John G. Tappan & Co.,
Henry Frost & Co.,
Damon, Temple & Co.,
Harding Bros. & Co.,
Maflyn, Mullen & Elms,
Gross & Strauss,
E. F. Messenger & Co.,
McDewell & Adams,
Barnum & Wight,
Henrickson, Doll & Richards,
Charles C. Holbrook,
Frost, Bros. & Co.,
R. H. Stearns & Co.,
Thos. Kelly & Co.,
New York and Boston Express, S. W. Waldron, Agt.
Wm. E. Baker, of Grover & Baker S. M. Co.,
Boone, Cannell & Co.,
Lyons, Sherman & Co.,
Lewis, Brown & Co.,
C. F. Hovey & Co.,
Wyman & Arklay,
J. C. Howe & Co.,
Frothingham & Co.,
Jordan, Marsh & Co.,
Freeland, Branch & Richardson,
Anderson, Heath & Co.,
Forbes, Richardson & Co.,
Ewing, Wise & Fuller,
Jordan, Clarke & Co.,
Rhodes, Ripley & Co.
Hall, Dame & Bullock,
Jewett, Bush & Macrae,
Martin Walko & Co.,
Eager, Bartlett & Co.,
B. L. Solomon & Sons,
Minot, Hooper & Co.,
Page, Fifield & Co.,
Boston Belting Co.,
Sprague, Colburn & Co.,
S. Klous & Co.,
Chas. Weil, Dreyfus & Co.,
Seavy, Foster & Bowman,
Geo. W. Carnes & Co.,
Foster Waterman,
Geo. S. Winslow & Co.

Geo. Putnam, Jr., for remonstrants, abutters on Summer street, stated that many attempts had been made to get a railroad track through that street, all of which had been abandoned because the parties had been convinced that the public wants did not require it, or required that the tracks should be laid elsewhere. He did not think that there was any public exigency for such a railroad track, and until such an exigency was shown, the abutters should not be subjected to annoyance and inconvenience.

The street had gone into the use of wholesale dealers with the understanding that it was not to be a horse-railroad street, and to put the road there it will be a serious injury and great inconvenience. The only reason for such a measure would be that the horse-car travel requires greater facilities, so great as to overcome the advantages accorded to the business community in the transaction of their business. The travel at the corner of Summer and Washington streets was now so great as to require the services of two policemen to facilitate the crossing of the street, and with the passage of horse-cars there would a much greater blocking of the street.

Mr. Putnam said he did not design to occupy much of the time of the Board, but with their leave would call a few witnesses.

Wm. Endicott, Jr. (C. F. Hovey & Co.), gave reasons against locating a horse railroad track in the street as likely to interfere greatly with business, and his firm would not have gone into the street had it been supposed such tracks would be laid there. There was a large amount of teaming

through the street, and the business which is done by the signers of the remonstrance would amount to $150,000,000 annually.

A remonstrance was presented from Edward I. Browne and others, owners and abutters on Lincoln street, against the location in that street.

John S. Farlow objected particularly to the occupation of Lincoln street for a car track, the street being now much crowded by heavy teaming from the railroad depot. There was no exigency for any such tracks, and he hoped the petition would not be granted or be entertained.

Nathaniel Whiting stated that the same parties opposed a railroad track through Lincoln street before the Legislature last winter, and he did not think that a Cumston railroad track was any better than a Northend track. It was understood that Mr. Northend was again a petitioner for a new horse railroad, and he supposed this application was to head off the Northend petition.

George Gardner made similar objections to those offered by Mr. Endicott, in relation to the hindrances which the cars would cause to the business houses on Summer street, located there expressly for the purposes of facilities for doing a heavy trade. By the widening of Devonshire street, and from the access to the railroads, there was a heavy amount of teaming through Summer and Lincoln streets, and with the completion of the Hartford & Erie Railroad it might be expected that there would be a great increase in the transportation of merchandise.

Harvey Jewell, for the petitioners, said it was not designed by them to offer witnesses, for the reason that the Board is best able to judge whether the facilities for travel should be furnished. The railroad company is but a servant of the people, and sought to find out what the public wants required. They find that additional facilities are needed, and the question is whether the demand is a just one. The people in the south part of the city and in the Highlands make this demand, and soon there will be a greater demand in Dorchester for additional facilities to reach their business. On the westerly side of the city the cars move up and down Tremont street like a shuttle, and the people on that line reach their homes and business in a very short time. Like facilities are required on the easterly side of the city.

The gentleman in opposition to this location had spoken of the additional teaming which would grow out of the completion of the Hartford & Erie Railroad; he should consider, too, that further facilities should be furnished for fifty thousand more foot passengers. The railroad company had now a location from Federal street to Church Green, and they had been looking for the means to facilitate the travel. An agreement had been made by which this road and the South Boston Road would coöperate. The Metropolitan Railroad Company would be glad today to husband its resources and not expend money for more tracks, but they are obliged to meet the public demand, as in laying down the track in Boylston street. It was not so profitable to make new routes, but the people have the right to all the facilities which can be furnished to them. In this case if the Board find that the route is not demanded, they should not grant it.

Mr. Putnam said he desired to reply to the only point which had been made in favor of the petition, which was that there was a public demand for it. There should be something more than this mere say so by an officer of the corporation, in the submission of evidence of such a demand. This should be done, especially in view of the statements that the corporation was opposed to this measure last year, and had in view merely the throttling of a rival measure. This may be another scheme to get control of the South Boston Railroad, which was attempted through the Legislature; and if this should be successful, that corporation might not be able any longer to resist the effort to get possession of it.

Wm. Gaston in reply to Mr. Putnam was of opinion that he had shown that there was a public demand for the facilities furnished by this railroad track when he had made the statement that another corporation was seeking to run over this same route. The travel on the old routes, he contended, had long been overcrowded, and on that account this corporation was seeking to meet the public necessities. He agreed with the gentleman who said that he believed that the city was yet in its infancy, and if the demand for greater facilities was not met now, what would be the case when the city reaches its manhood? Similar objections to that now urged had been made against the laying of horse railroad tracks in every instance. If such objection had been heeded in the past there never would have been any tracks laid in the city. This necessity and future necessities must be heeded and the demands met.

Mr. Wallis made some further remarks in reply to Mr. Gaston, that he did not think that reasonable demands for tracks would be objected to. There were far greater objections in a case like this than there could be to a track in Boylston street. In cases of streets where a retail business was transacted a horse railroad was an advantage, but a positive injury in streets devoted to wholesale trade.

Edward I. Browne also made objections to the proposed location.

The report was recommitted.

COMMON COUNCIL PAPERS.

The petition of the Methodist Centenary Church for remission of taxes was referred in concurrence.

The following orders were passed in concurrence:

Report and order to add a portion of the city's land on Palmer and Eustis streets to the adjoining Primary School yard; and to sell the remainder in two lots by auction.

Report and order to rebuild the walls of Engine House No. 9, and to fit up a tenement in Hook and Ladder House No. 1.

Order to make certain transfers of appropriations, in order to complete the Comins School-house.

The report of the Committee on Public Buildings, referring to next City Council the subject of an addition to the Public Library Building, was accepted in concurrence.

The report and order (City Doc. 108) authorizing the Mayor to petition the Legislature for authority to establish a Board of Street Commissioners being under consideration,

Alderman Richards objected to granting away any more power from the City Council than is now granted, and it appeared to him that it was proposed by this measure to substitute these Commissioners for the Committee on Streets. These Commissioners might sit longer, but they would not do any more than that Committee, while it would require that additional appropriations be made for their services. So long as the duties in question could be performed by committees of the City Government, he should object to any measure of this kind.

Alderman Pratt said that, at the time the order was submitted, it was supposed we were to lose the valuable services of the chairman of the Committee on Streets. As it now was settled that the Board were to have his services for another year, he was opposed to the passage of the order. He therefore hoped that the Board would non-concur, and he moved that the order be laid on the table.

The motion was carried, by a vote of 8 to 3—Bradlee, Fairbanks and Rice, Alderman Talbot not voting.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Licenses, reported favorably on petition of the Young Men's Christian Union, for leave to give public exhibitions at their hall, No. 300 Washington street. Accepted.

Alderman White also reported leave to withdraw on petition of John Reed for leave to sell fruits, candies, &c., on the streets of this city; and granting licenses as an auctioneer, to keep an intelligence office, and for wagon stand. Severally accepted.

Alderman White, from the Committee on Health, reported no action required on the remonstrance of Matthias Cram and others, against the erection of a stable on Middle street. Accepted.

Alderman Talbot, from the Committee on Streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman James, from the Committee on Paving, to whom was referred the petition of Uriah H. Coffin and others that Pembroke street, west of Columbus avenue, be called Pembroke park, made a report that the part of Pembroke street referred to is more than two hundred feet distant from the part lying east of Warren avenue, and is so separated from it as to be in fact an independent street and the retention of the name of Pembroke will

cause no little inconvenience to the persons residing thereon. The Committee, therefore, with the consent of the petitioners, report the accompanying order:

Ordered, That that part of Pembroke street lying west of Columbus avenue be hereafter called and known as Berwick park, and that the Superintendent of Streets be directed to place street signs upon and number said park.

Alderman Richards, in reply to an inquiry of Alderman Talbot as to the reasons for the proposed change, stated that this portion of Pembroke street was not in direct continuation of Pembroke street, but somewhat to the right after passing across Warren avenue, and at a distance of some 200 feet.

The report was accepted, and the order was passed.

Alderman James, from the Committee on Paving, reported leave to withdraw on the petition of Albert Simon for leave to put out an awning at store 370 Hanover street. Accepted.

Alderman Richards, from the Committee on Public Buildings, made a report that there will be needed an additional appropriation of $8000 to defray the ordinary expenses of the department for the remainder of the financial year. The amount appropriated for this department at the beginning of the financial year was $95,000; a large portion of this amount has been expended by the order of the City Council for the following purposes, which was not anticipated by the Committee when the annual appropriation was asked for, viz.: Alterations in almshouse, Boston Highlands, $2800; repairs of Eastern avenue wharf, $4000; ventilation of Council Chamber, $1600; additional repairs Engine House No. 9, $2000; repairs on Hook and Ladder House No. 1, $200; do. repairs on Police Station No. 6, $1200; coal shed Police Station No. 7, $1000; total $14,600.

Referred to the Committee on Finance.

Alderman James, from the Committee on Common and Public Squares, to whom was referred the petition of James L. Little and others, for a plank walk from Charles street central gate to West street, made a report, recommending the passage of the accompanying order:

Ordered, That the Committee on Common and Public Squares be authorized to lay down a plank walk from Charles street central gate to West street, at an estimated expense of $500, to be charged to the appropriation for Common and Public Squares.

The report was accepted and the order was read twice and passed.

PUBLIC PARK.

Alderman James, from Joint Special Committee, appointed to consider what action should be taken by the City Government to purchase and lay out a public park, made a report as follows:

In order to obtain a definite and unmistakable expression of the popular feeling upon such an important subject, the committee immediately upon their appointment, invited all persons interested, either for or against the project, to appear and state their views. Two public hearings were given, which were attended by a large number of prominent gentlemen; and a full opportunity was afforded to every individual who had anything to offer upon the subject. Naturally there were many differences of opinion in regard to location and the quantity of land required; but it was clearly shown by the views expressed before the Committee, and the communications and comments in the daily press, that the people were in favor of some action on the part of the City Government looking to the establishment, at an early day, of one large park, or several smaller parks, in Boston or the immediate vicinity.

Much information and many valuable suggestions were furnished to the Committee, which are presented herewith, with the recommendation that they be printed for the future use of the Government. It seems to be admitted by all, that as the population of the city increases, the necessity of affording some additional means of healthy recreation will increase with it, and finally make it imperative. If that is the case, the duty of the Government at the present time is clear. Authority should be obtained from the Legislature without delay to take land for the purpose, and as soon as a suitable location—one sufficiently accessible to be enjoyed by all classes of our citizens—can be fixed upon, the land should be secured. The work of laying out and improving the grounds may properly be delayed to suit the convenience of the Government, or for a better condition of the finances of the city; but there can hardly be a question that the land should be secured as soon as practicable.

The committee would therefore recommend the passage of the accompanying order, requesting the Mayor to petition the Legislature for authority to take land for the purpose of laying out one park or several parks in Boston or vicinity.

Ordered, That His Honor the Mayor be requested to petition the General Court, at its next session, for the passage of an act authorizing the City Council of Boston to purchase or otherwise take land in Boston or vicinity, for the purpose of laying out one large park, or several small parks, for the benefit of the people.

Ordered, That one thousand copies of the report of the Committee on a Public Park, with the accompanying statements and communications, be printed for the use of the City Council, the expense to be charged to the Appropriation for Printing.

Alderman Talbot called attention to the fact that the order provides for the expense of printing the Report from the Appropriation for Printing. The Committee on Printing did not recommend that expenditure, and should the printing appropriation fall short, it should not be chargeable to that committee.

The orders were passed.

SUFFOLK STREET DISTRICT.

Alderman Talbot, from the Joint Special Committee appointed to procure plans and estimates for raising the Suffolk Street District (so called) and report to the City Council upon the expediency of taking said district, as provided by chapter 277 of the acts of the year 1868, submitted a report, in which they say that by the terms of the act, passed June 4, 1868, the city of Boston was authorized to purchase or otherwise take, within three years, the lands, or any of them, not within the limits of the Boston & Albany Railroad, which are below the grade of eighteen feet above mean low water; and all estates, any part of which is below said grade, with the buildings and other fixtures on the land so purchased or taken, situated and lying within the district which is bounded on the northeast by Pleasant street, on the east by Washington street, on the south by Dover street, and on the west and northwest by Tremont street.

The provisions of this act, in relation to the settlement for damages on account of the taking, are the same as the act under which the improvements on the Church Street District have been carried out.

The territory embraced within the boundaries above mentioned covers an area of about thirty-one acres,—about double the area of the Church Street District.

* * * * * * *

This territory occupies a somewhat different position from the Church Street District in respect of this, that, by neglecting to carry out the system of drainage established by the Board of Aldermen, the city became liable in damages to the owners of estates, and has actually paid on that account, in the aggregate, the sum of $115,147 15, besides the sum of $90,000 expended in raising the grade of Dover street.

In the case of the Church Street District, the city had paid no damages for impaired drainage at the time of taking, for the reason that, although defective, the system of drainage was in accordance with the orders of the Board of Aldermen. [See the case of Childs vs. City of Boston, 4 Allen, 41.]

The following named streets and places are embraced within the district; Albion street, Claflin place, Castle street, Cherry street, Chapman street, Carney place, Emerald street, Garland street, Hingham street, Indiana place, Kirkland street, Lucas street, Middlesex street, Osborn place, Ohio place, Orange street, the southerly side of Pleasant street, from Tremont street to Washington street, Porter street, Paul street, Russell place, Spear place, Suffolk street, Tremont street, on the easterly side, from Dover street to Pleasant street, Village street, Wheeler's court; Dover street, on the northerly side, from Tremont street to Washington street; and Washington street, on the westerly side, from Dover street to Pleasant street. The present grade of these streets

varies from six and five-tenths feet to eighteen feet above mean low water. It appeared from an examination of the territory in 1868, that the whole number of dwelling houses was 680; the number of building of all kinds, 749 (brick, 509; wood, 236; stone, 4).

Number of families.....1288
Number of persons.....5730
Number of buildings occupied exclusively by the owners..... 156
Number of buildings occupied jointly by owners and tenants..... 93
Number of buildings occupied by tenants alone..... 474

After mature consideration it appears to the committee that the only effectual way of abating the nuisance caused by the impaired drainage is to take the territory, with the buildings and other fixtures thereon, as authorized by the act of the Legislature, raise the buildings, and fill up the streets, cellars and back yards to a proper grade with good clean gravel, and settle with the owners upon substantially the same principles that were adopted in the case of the Church Street District. To place this territory in a condition which its situation in the centre of the city demands will, of course, involve a large expense on the part of the city; but the necessity for such action, sooner or later, is imperative. The plan adopted for the improvement of the Church street district was, to a certain extent, an experiment. It has been tried, the Court has passed upon its legality, and the result may be considered, on the whole, satisfactory. The expense has fallen considerably below the estimates; the property has been increased in value from 50 to 100 per cent., and has been placed in a condition to continue to increase from year to year in proportion with the most desirable portions of the city.

The assessors' valuation of the real estate on the Suffolk street district, on the 1st of May, 1869, amounted in the aggregate to $4,298,700. After the taking has been decided upon, it will be necessary to have a careful appraisal made of the actual value of property at the time of the taking, in order to furnish a correct basis for settlement with the owners who choose to surrender their property to the city.

The peculiar condition of the territory surrounding this district made the establishment of a satisfactory grade extremely difficult. The Committee have succeeded, however, in preparing a plan which they believe will be entirely satisfactory. The minimum grade, with certain exceptions, is the same as was adopted in the case of the Church Street District, namely, eighteen feet above mean low water, for streets and ways, and twelve feet for cellars, yards, and vacant lots. The exceptions are occasioned by the fact that the portions of Washington street and Dover street bounding on this district are below the grade of eighteen feet, and cannot be raised without unnecessary expense. The present grade of Dover street is sixteen feet at Tremont street and twelve feet at Suffolk street. At this lowest point the grade may be raised eighteen inches without involving the city in any expense for damages. The grade of Washington street, between Dover street and Pleasant street, varies from from 14 8-10 to 23 6-10 feet.

Suffolk street, and other streets southwest of the railroads of the same general direction (Middlesex and Tremont streets excepted), beginning at the present grade of Dover street, attain, by an easy ascent, the grade of eighteen feet above mean low water, as near Dover street as practicable, and keep it to Chapman street. Middlesex street begins at Hingham street with that grade, and Tremont street attains it at Chapman street.

The necessity for carrying Suffolk street over Orange street and the railroad, as hereinafter described, taken in connection with the Washington and Tremont street bridges, makes it imperative that Castle street on the one side, and Indiana place on the other side of the railroad, should be raised higher than would otherwise be necessary; and therefore, northeast of Chapman street, those streets having a general northeasterly direction all rise easily to the grade of Castle street. Northeast of the railroad, the streets of the same general direction fall gradually from the grade of Indiana place to the present grade of Pleasant street. The grades of these streets, ways, and portions of streets, lying between Suffolk and Washington streets rise easily from the grade of Washington street to that of Suffolk street. Hingham and Lucas streets conform in grade to the grades of adjacent streets.

As the Boston & Albany Railroad Corporation require some means of access to that portion of their railroad grounds lying within this district, and as Orange street seems to be the most available outlet for this purpose, it is proposed to leave that street at its present grade, and to carry Suffolk street over it by an iron bridge.

The committee have made no estimate for the raising of the buildings on the southerly side of Orange street, east of Suffolk street extension: but it is possible, as the work progresses, that it may be expedient to raise them to the grade of the houses fronting on Castle street, even if this street should remain at its present level. The grades of the streets and ways on this district are shown on a plan made by the City Surveyor.

The changes proposed by the committee are as follows:

The widening of Suffolk street between Dover and Castle streets to sixty feet, by cutting off twenty feet of the estates on its southeasterly side; and the extension of the same over Orange street and the Boston & Albany Railroad by an iron bridge to Indiana place, and thence to Tremont street at Common street.

The widening of Castle street, between Washington and Tremont streets, to fifty feet, by cutting off about twenty-eight feet of the estates on its southwesterly side.

The widening of Middlesex street, between Hingham and Castle street, to about thirty-five feet, by cutting off nine feet of the estates in its northwesterly side, between Hingham street and the jog near Castle street, and thirteen feet of the estates between the jog and Castle street.

The widening of Emerald street to a uniform width, by cutting off twenty feet of the estates on its northwesterly side, between Paul and Castle streets.

The widening of Carney place to thirty feet, by taking land on either or both sides.

The laying out of a new street forty feet in width from Washington street, nearly opposite Asylum street, to Suffolk street, for the purpose of developing a large area of unimproved land.

The widening of Washington street on its westerly side, between Cherry and Pleasant streets, as proposed by a plan adopted in 1860, so as to make the street nowhere less than fifty feet in width.

The extension of Wheeler's court to Indiana place, by taking the estate No. 41 Indiana place from William H. Adams, and a portion of the rear of estate No. 39 Indiana place from John Barnard; and the widening of Wheeler's court between Claflin place and Suffolk street as extended, by cutting off about ten feet of the estate on its southeasterly side.

The estimated cost of widening and extending the streets as above, in addition to the cost of raising, is as follows:

| | |
|---|---|
| Suffolk street, widening and extending, including iron bridge and abutments.. | $360,000 |
| Castle street..... | 120,000 |
| Middlesex street..... | 38,000 |
| Emerald street..... | 3,000 |
| Carney place..... | 31,000 |
| New street, through "White estate"..... | 32,000 |
| Washington street..... | 13,000 |
| Wheeler's court..... | 3,000 |
| | $600,000 |

There are several other streets within the territory, especially north of the railroad, that should be made wider, but, on account of the compactness of the houses between the streets, preventing a widening without removing one entire tier of houses, the Committee have deemed it inexpedient to recommend the widening.

No estimate has been made by this Committee of the probable amount of betterment that could be assessed in consequence of the widening and extension of the above streets; but they are of the opinion that the improvements, as proposed, of Suffolk and Castle streets, especially, would justify the city in assessing a considerable portion of the expense upon the estates benefited thereby.

The widening of Castle street will necessitate the entire discontinuance of Paul street, as it leaves a strip of land of only about seventeen feet in width between said streets, which is too narrow to be used for building purposes. The more valuable buildings on Paul street can be saved by be-

ing moved forward to the new line of Castle street, and those of less value may be either demolished or removed to another part of the territory.

The plan proposed by the committee for the improvement of the district may be stated briefly as follows:

1. To take all the territory described in chapter 277 of the acts of the year 1868, with the buildings and other fixtures thereon, in the manner authorized by said act.
2. To raise the streets and places on said territory to the grade shown on a plan made by the City Surveyor.
3. To lay out and widen certain streets and places on the district after the taking, as shown on a plan made by the City Surveyor.
4. To fill the cellars, back yards, and vacant lots to the grade of twelve feet above mean low water.
5. To raise and underpin such of the buildings on the district as it may be found expedient.
6. To re-lay water pipes, sewers and edgestones, and pave the streets and sidewalks.
7. To provide for the appointment of a Joint Committee of the City Council to have charge of the work to be performed, with authority to appoint one or more persons to act under their direction.
8. To re-convey to the former owners the estates (or such portions as are not required for streets or other purposes), after the nuisance has been abated; *provided*, said former owners will put the buildings in proper condition for raising, make all necessary repairs upon them, after the raising and underpinning, and make no claim upon the city for damages.

Estimates of the cost of carrying out the foregoing plan have been obtained by the committee, and are as follows:

| | |
|---|---|
| Cost of filling with good clean gravel.... | $500,000 |
| Paving and street crossings..... | 151,400 |
| Edgestones and sidewalks..... | 45,650 |
| Sewers and cesspools..... | 42,500 |
| Raising water-pipes..... | 32,000 |
| Street lamps..... | 5,000 |
| Retaining walls on railroad..... | 81,000 |
| Total cost of raising grade of territory.. | $857,550 |
| Cost of raising and underpinning the buildings, according to estimates..... | 844,000 |
| Cost of superintending work and incidental expenses..... | 50,000 |
| Total cost of raising territory and buildings..... | $1,751,550 |
| Estimated expense of widening and extending streets and places as described | 600,000 |
| Total cost of improvement upon the plan proposed.... ..... | $2,351,550 |

The estimates for furnishing earth for filling this territory are somewhat higher than for the Church Street District, for the reason that it is less accessible for the deposit of earth. It may be found the most economical course for the city to purchase or take, a gravel bank, and contract only for transportation to the territory to be filled. This is a matter, however, for the consideration of the Committee having charge of the work. In the estimate for superintendence and incidental expenses, a wide margin is allowed for contingencies on account of the magnitude of the work. In order that there shall be no delay in beginning the work next year, if the present City Council should adopt the plan proposed by this committee, orders are appended to the taking, providing for the appointment of a committee of the next City Council with authority to contract for raising the buildings and the grade of the territory, and to appoint such assistance as they may require for performing the work; also an order authorizing the Treasurer to borrow the sum of five hundred thousand dollars, which will be sufficient, probably, to cover the operations of the city for the first half of the year.

The report is signed by Newton Talbot, Geo. P. Baldwin, Joel Richards, J. Austin Rogers, Francis A. Osborn, Committee.

Alderman Talbot stated some of the reasons which caused the delay in making the report. He was willing and ready to vote upon it now; but if not passed today it must go over to the next City Government, through failure to reach the Council.

The report was accepted, and the several orders were read twice and passed, by a unanimous vote.

THE BURRILL CLAIM.

The Joint Standing Committee on Claims, to whom was referred the petition of Charles Burrill to be compensated for labor performed and expenses incurred in furnishing credits upon the quota of Boston during the recent war, made a report, as follows:

Mr. Burrill's petition was presented to the Government early in the year, but was not referred to this committee until the last of May. It should be stated, in explanation of the delay in reporting upon it, that for some weeks after the reference the counsel for the petitioner was unable to present his case, and the hearings were not begun until the ninth of July. After giving two hearings in that month, the Common Council adjourned for the summer season, and it was found to be impossible for all the members of the Committee to attend the hearings until about the last of September. All the evidence which could be obtained at that time was put in by Mr. Tuxbury for the petitioner, and by Mr. Healey in behalf of the city. A further delay then occurred from the inability of the City Solicitor to present certain evidence which was considered important, and the last hearing was not given until the second of December.

There were, in all, ten hearings. The evidence presented, and the statements made to the committee, were reported in full, and are appended hereto.

The committee have been unable to agree, except in the opinion that Mr. Burrill has rendered some service for which he should receive compensation. In regard to the amount of that compensation there is a wide difference of opinion, the highest amount named being one hundred and twenty-five thousand dollars. Under these circumstances, the committee have thought best to present all the facts in the case to the City Council, for such action as they should deem expedient.

NEWTON TALBOT,
EDWARD A. WHITE,
GEORGE P. BALDWIN,
ALEXANDER WADSWORTH,
FRANCIS W. JACOBS,
CHARLES S. BUTLER,
SAMUEL TALBOT, Jr.,
GEORGE C. PEARSON.

On motion of Alderman Baldwin, the report was referred to the next City Government, but subsequently this action was reconsidered.

EXTENSION OF WASHINGTON STREET.

Alderman Talbot, from the Committee on Streets, reported in print resolves and orders to extend Washington street from Cornhill to Haymarket square; and Portland street from Hanover street to Washington street extended.

Alderman Baldwin called upon the Chairman of the Committee to make some explanations on the subject.

Alderman Talbot stated that considerable expense would be incurred in grade damages, which it was not certain was estimated correctly. There would be a necessity of raising the grade of Brattle street or of lowering that of Cornhill, which left the expense uncertain. There was much diversity of opinion in the community as to what would meet the public wants and what is the desire in relation to the extension of Washington street, and without knowing how the object was best to be accomplished, he should feel compelled to vote against the report.

That the extension of Devonshire street would some time be accomplished, there was no doubt. By that means, and by widening the lower end of Sudbury street to give further facilities for travel through Tremont street, there was a growing feeling in the community that the desired facilities for travel would be given, and at a nominal cost compared with this. It was objected, also, that in crossing Hanover street, the street would cross at an angle, from 110 to 115 feet before it strikes the other side, and that the lower part of Hanover street, below Washington street, would be injured. Whether the widening of Hanover street would not be lost by such an extension of Washington street, was a question to be considered. He should be doing but justice to himself and to the people by leaving it open for them to decide.

Alderman Baldwin said he believed there was a growing feeling that by the extension of Washington street it would require the widening of that

street to Boylston street, at a great outlay. The feeling of the public was in favor of the extension of Devonshire street. The widening of Portland street will come some time, and will take care of itself. With Devonshire street extended and the widening of Sudbury street, the needed relief to travel would be met, and a great expenditure would be saved. If in order, he would move to lay the subject on the table.

Alderman Pratt wished to know if this extension was not carried out, whether it was intended to let Hanover street on this line remain as it is without widening.

Alderman Talbot said he should desire that the widening of that portion of Hanover street should be made in the spring. Delays had necessarily occurred in making the surveys for the extension of Washington street; otherwise, the widening would have been made earlier. Whatever disposition was made of this report, that widening thould be made early in the spring.

Alderman Rice said he was surprised to hear it said it was not the wish of the people to have Washington street extended. The people do wish it. He was in favor of the extension by the Portland street route, but if not by that route, he was in favor of carrying this out.

Alderman Baldwin said it had been stated to him by a gentleman who would be most benefited by the extension, that he hoped this extension would not pass.

Alderman Talbot said there was a growing feeling in favor of the alternative route for the relieving of the depot travel. Opinion was divided relative to the extension, and with the great objection to the large expenses of the city, he should hesitate before voting to incur this large expenditure. If the people wanted this extension to be made, he should not hesitate, but so long as it was not apparent, he should not vote for it.

Alderman Baldwin withdrew his motion.

Alderman Pratt said this measure did not originate with the people, but with the Board, and he did not at first favor it, but the papers and the people had pressed it and he had yielded to it.

Alderman Rice said he did not wish to be misunderstood. He was in favor of extension, whether one or both plans were carried out.

The question was taken on the passage of the several orders, and each were passed, by a vote of 9 to 3, as follows:

Yeas—Bradlee, Fairbanks, Hawes, James, Pratt, Rice, Richards, VanNostrand, White.

Nays—Baldwin, Seaver, Talbot.

Alderman Talbot said he was clearly of opinion that if Washington street was extended, as proposed, Portland street should be extended to it.

The several orders, as passed, provide that the extension of Washington street and of Portland street shall be sixty feet in width. the expense of the extension of Washington street being adjudged to amount to $992,952, and that of Portland street to amount to $202,500. The last order is as follows:

Ordered, That the Treasurer be, and he hereby is, authorized to borrow, under the direction of the Committee on Finance, the sum of fourteen hundred thousand dollars, the same to be appropriated for the extension of Washington street from Cornhill to Haymarket square and the extension of Portland street from Hanover street to Washington street (extended), including grade damages, and other damages incidental to the extension of said streets, to be called the Loan for the extension of Washington and Portland streets.

The estimate of damages is as follows:

Heirs of Edward Tuckerman, Washington street, 2868 feet, $35 per foot—$100,380; damage to buildings, owners and occupants, $150,000, total $250,380; Fifty Associates, City Hotel, 11,120 feet, $10—total damages and land, $170,200; do. Trustees, 2641 feet, $14—total, $74,974; heirs of Samuel Whitwell, Russell Hotel, Elm street, 2643 feet, $8—$27,944; heirs of Sarah Hughes, Elm street, 2207 feet, $15—$37,805; heirs of Solomon Wildes, Elm street, 124 feet, $20—$2480; do. through to Hanover street, 7950 feet, $11—$102,049; heirs of Thos. Capen, 105 to 109 Hanover street, 170 feet, $30—$12,600; James M. Beebe, 108 Hanover street, 190 feet, $30—$15,700; Jonathan N. Hatch, Jr., 110 to 112 Hanover street, 896 feet, $18—$28,628; Thomas Higgins, No. 114 do., 1901 feet, $22—$58,322; heirs of Sewall Kendall, corner of Friend street, 2106 feet, $11—$33,666; Childs. Crosby & Lane, Hanover street, 102 feet, $5—$2000; Elizabeth P. Gray, Billings court, 4901 feet, $3 50—$25,153 50; Edward Jordan, 77 Friend street, 123 feet, $10—$2230; Geo. A. P. Darling, 81 Friend street, 1589 feet, $4—$8856; James Damon, 87 Friend street, 1412 feet, $3 50—$13,642; George W. Berry, 89 and 91 Friend street, 320 feet, $4—$4960; St. Andrews Lodge of Masons, 122 to 126 Union street, 5867 feet, $7 50—$74,002 50; Alpheus Hardy and others, trustees, 1 to 8 Holmes Block, 974 feet, $15—$34,610; Mary E. Bird, 114 to 118 Union street, 765 feet, $10—12,550; Helena C. Mendum, 108 and 110 Union street, 25 feet, $5—$200. Total number of feet, 50,903; value of land, $582,287; value of buildings, $384,000; value after extension, $133,425; value of materials, $8100; damages to owners, occupants and buildings, $410,665.

In the extention of Portland street the damages are as follows:

Fifty Associates, 25, 27 and 29 Elm street, 653 feet of land, $30—$34,600; heirs of Samuel Whitwell, 24 Elm street, 5750 feet, $18—117,400; B. F. Edmands and John J. Rayner, trustees, 81 and 83 Hanover street, 1800 feet, $22 50—$50,500. Total number of feet, 8203; value of land taken, $163,590; value of buildings, $53,000; value after extension, $20,000; value of old materials, $800; damage to buildings, owners and occupants $38,910—total damages, $202,500.

ORDERS PASSED.

On motion of Aldermen James,

Ordered, That there be paid to Wm. F. Bell and Calvin C. Bailey the sum of $7000 in full compensation for damages to their estate numbered 34 and 36 Ruggles street, by raising the grade of said Ruggles street, upon their proving their title, to the satisfaction of the City Solicitor, and upon their giving to the city an acquittance and discharge for all damages, costs and expenses on account of the raising of the grade of said Ruggles street, the same to be charged to the appropriation for paving.

Ordered, That there be paid to Sargent & Burr, lessees of store No. 322 Tremont street, the sum of $500 in full compensation for all damages sustained by them by the raising of the grade of Tremont street, upon their giving to the city an acquittance and discharge for all damages, costs and expenses on account of the raising of the grade of said Tremont street, the same to be charged to the Tremont street loan.

On motion of Alderman Bradlee,

Ordered, That there be allowed and paid for extra services in preparing a digest of the city ordinances and the general and special statutes relating to the city of Boston the following sums, namely: to the City Solicitor's department $300; to the City Clerk $500; to the Clerk of Committees $600, said sums to be charged to the appropriation for incidentals.

Ordered, That the Committee on Printing be authorized to procure a phonographic report, and print 1000 copies of the arguments and the opinions of experts presented to the special Committee of the Massachusetts House of Representatives, on the subject of filling up Charles river flats, the expense to be charged to the appropriation for printing.

Alderman Bradlee stated that the testimony was important as showing the sanitary effects of the proposed measure, which it was desirable to place before the Legislature, where this matter must be fought.

On motion of Alderman Pratt,

Ordered, That the Committee on County Accounts be authorized to contract with some suitable person to classify the Indexes to Suffolk Deeds for the year 1870, also to make a contract with some suitable person for a continuation of the Index to plans in Suffolk Deeds from the year 1868 for the years 1869 and 1870, at an expense not exceeding three dollars per volume of Records; also for a continuation of the Index to sales of real estate for non-payment of taxes for the two years 1869 and 1870, at an expense not exceeding $100, the expense to be charged to the county of Suffolk.

On motion of Alderman Richards,

Ordered, That the Chief of Engineers of the Fire Department be and he is hereby authorized to purchase, under the direction of the Committee on Fire Department, one pair of horses for a sum not exceeding $950, the same to be charged to the appropriation for Fire Department.

On motion of Alderman Talbot,

Ordered, That there be paid to John A. Lowell the sum of $6000 for land taken and damages occasioned by the laying out of Atlantic avenue, by a

resolve of December 18, 1868, to be charged to the Atlantic Avenue Loan.

Ordered, that there be paid to Calvin and Lucy Ellis (heirs of Luther Ellis) $10,500 for their estate No. 18 India wharf, surrendered to the city by an order of December 17, 1869, to be charged to the Atlantic Avenue Loan.

Ordered, That there be paid to R. Hoe & Co., the sum of $40,000 for lease and for all damages of every name and nature, occasioned them as tenants of estate belonging to the City of Boston (formerly belonging to Seth Adams), by the extension of Broadway, by a resolve of May 3, 1869, to be charged to the Broadway Extension Loan.

Ordered, That His Honor the Mayor be and he hereby is authorized to release to Rebecca G., Ralph and D. G. Haskins, trustees under the will of Ralph Haskins, late of Roxbury, deceased, about 4224 square feet of land on the easterly side of Warren street, between Edgewood street and land of D. W. Williams, in that part of Boston formerly Roxbury, upon the said trustees releasing to the city of Boston about 480 square feet of land, the said parcels of land to be released being shown on a plan made by T. B Moses, surveyor, dated May 19, 1863, a copy of which is deposited in the office of the City Surveyor. The above order being in conformity with an order of the City Council of Roxbury passed May 19, 1863, and recorded in volume 7, p. 297, of the City Records of Roxbury.

Ordered, That there be taken the estate of Joseph M. Wightman on Hanover street, surrendered to the city in the widening of Hanover street, for the purpose aforesaid, bounded as follows: Northwest by Hanover street, northeast by the same and by land of Nancy Bartlett, southeast by land of John C. Tucker, and southwest by Battery street, containing 1532 square feet, more or less, and the Board doth adjudge that the expense of taking the said estate will amount to $9500.

Ordered, That His Honor, the Mayor, be and he hereby is authorized to release to John A. Lowell of Boston, about 11,481 square feet of land, more or less, being the portion of Heath street discontinued by the order of this Board passed October 11th, 1869, described as follows: eastwardly by Pynchon street, 1291-5 feet, southwestwardly by the line of Heath street, being an irregular line, 381 60-100; northeastwardly by another portion of said Heath street 126¾ feet; northeastwardly again by the line of Heath street 164 45-100; and northeasterly again by another portion of Heath street.

An order was passed assessing betterments upon estates benefited by the widening of Federal street, the whole amount of betterments to the estates being adjudged to aggregate $141,956 73, one half of which, $70,978 35 was assessed upon the abutters.

THE BURRILL CLAIM AGAIN.

Alderman Bradlee moved a reconsideration of the vote referring the report on the Burrill Claim to the next City Government, believing it to be a wrong method of getting over a difficulty.

Alderman Seaver expressed surprise that the motion should be made now when two Aldermen were absent.

Alderman Bradlee replied that so far as related to Alderman Baldwin, when he saw him leave, he went to him and told him that he intended to make this motion, and his reply was that he did not care what was done with the matter.

The reconsideration was carried by a vote of 9 to 1—Alderman Seaver—Aldermen Baldwin and Hawes being absent.

Alderman Pratt said he had not read the report and he did not wish to vote on the subject without knowing more about it.

Alderman Talbot said he believed Mr. Burrill did some service, for which he should be compensated. He proposed to the Mayor of the city to fill the quota by enlisting rebel prisoners in camp at Rock Island, but instead of doing so copied a list of seamen from the books at the receiving ship. He claimed to have influenced the legislation of Congress in obtaining credits for these seamen, but he had little to do with it. The act was passed to allow such credits, and without his influence, but it did not say who should decide on the residence of these men. It was not until the 4th July act was passed providing for the approval by the Secretary of War, that the act was of any avail, and this act was not procured by Mr. Burrill.

This matter the Alderman illustrated by referring to his recent election, in which a party came to him assuring him that his election was sure, yet he wished to be paid for aiding in the election the party assuring him that it was necessary to keep his name before the people. It was much so in the case of Mr. Burrill. If Mr Burrill paid money to others in procuring the passage of the act, it was foolishly spent. He was willing to pay him something for services, and with that view offered an order to give him $25,000, which he thought was large enough.

Alderman Bradlee moved as a substitute, that the petitioner have leave to withdraw. He knew something of this matter, having been in the City Council at the time, and he knew the claim to be a fraud from the beginning to the end. There was no just or honest claim, nor just or honest intent in making it.

Alderman Van Nostrand believed there was a ground for a claim, and it was strange that it could not be seen. If he had given an order for goods under like circumstances with this contract, he should feel bound to pay for the goods; and if a contract was made, there must have been two parties to it. He could not conceive how, after making a contract with Mr. Lincoln, a refusal could be made to pay him for his services. He should at least receive the amount he paid out, and something for his time.

Alderman Bradlee replied, that in making a contract for goods, if a man did not deliver the goods, he could not expect pay for them. Mr. Burrill never fulfilled his contract, and never furnished the men he agreed to.

Alderman Richards thought it hardly fair to settle this matter while the Alderman who was absent had set the amount at $125,000, for we should hear what reasons he had for fixing upon that sum. As that gentleman was not extravagant in such matters he was desirous of hearing his reasons. He hoped that the matter would lie over.

Alderman Bradlee said he had no objection to laying the subject over, if a special meeting should be held on Thursday, to allow the report to go to the Council at the meeting Thursday night.

Alderman Pratt said if it was in order he would make a motion that the report be recommitted, and that the committee report as was required by the original order, so that the Board may understand what course should be pursued.

Alderman Bradlee hoped such a motion would not prevail, but that the gentleman would read the report himself.

Alderman Pratt said he could not be expected to read and understand in a short time what the committee had twelve hearings for. It would be absurd to expect any such thing.

Alderman Talbot said the Board could not compel the Committee to agree. If recommitted it must go to the Common Council for its action, and there was no reason to think that the Council would agree to it. It would be too bad to require it to be reported to the next City Council.

Alderman Seaver said every man must be familiar with this claim, and had been for years, and there was no need of recommitting the report.

Alderman James declared the claim to be fraudulent all through, and he would not vote a dollar.

The motion to recommit was lost.

The question recurring upon the motion of Alderman Bradlee, giving leave to withdraw, it was lost, 3 to 5—Bradlee, James and Seaver in the affirmative, and Fairbanks, Pratt, Rice, Richards, Talbot and White in the negative.

Alderman Talbot stated that the courts had decided that the city could not make a contract in such a case. He did not doubt that Mr. Burrill had spent some money, but at the time the law was passed, the supervisors of New York were prepared to obtain a similar claim for the allowance of the enlistment of seamen, and it was not to be supposed that the whole seaboard which had an interest in the enlistments would have failed to secure the allowance through a law of Congress.

Alderman Talbot stated further circumstances attending the passage of the act allowing such credits, and that it needed the approval of the Secretary of War to make it perfect. He would not say that Mr. Burrill had not some influence in the passage of the act, but he believed it was not material. Mr. Tuxbury, counsel for Mr. Burrill, has stated that he has entire authority to settle this claim, and if the sum in his order was satis-

factory, he would vote for it. If it was not desired to vote upon the order now, he would consent to put it over if a meeting could be had at 12 o'clock on Wednesday.

Alderman Richards inquired if the order could be passed with two members absent, and three present who were opposed to it; two thirds of the Board being necessary for its passage.

Alderman Talbot did not see how it could be passed now.

Alderman Richards expressed the opinion that the claim should be settled. If the claimant was satisfied with $25,000 he had no objection, and would vote for it

Alderman Seaver said as the City Councils of 1865, 1866 and 1867 agreed with Mr. Burrill in politics and did not pay him, he could not see how those who were not considered loyal should be expected to vote to pay him.

Alderman Talbot said there was good reason why the City Council in those years should not act, the claim being in the courts.

The order of Alderman Talbot was ordered to a second reading, Aldermen Bradlee and James not voting, and Aldermen Baldwin, Van Nostrand and Hawes being absent.

On motion of Alderman Richards, the second reading was assigned to Wednesday, 12 o'clock.

Adjourned to Wednesday, 12 o'clock.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## DECEMBER 22, 1869.

An adjourned meeting of the Board of Aldermen was held at 12 o'clock noon today, Mayor Shurtleff in the chair.

JURORS DRAWN.

Twenty-two grand jurors, and thirty-six traverse jurors were drawn for the Superior Court, criminal session; and thirty-six traverse jurors were drawn each for the first and second sessions of the Superior Court, civil session.

APPOINTMENTS MADE AND CONFIRMED.

Special Police Officers without pay—Jacob D. Mudge, for service at the Eastern Railroad depot, Causeway street; Joseph Saul, at No. 106 Summer street.

REPORTS OF COMMITTEES.

Alderman Fairbanks, from the Committee on Sewers, reported an order for the collection of sewer assessments as follows:

Kendall street, $634 82; Colony street, $130; Chambers street, $1082 05; Federal street, $594 37; Hanover street, $3167 08; Kenilworth street, $591 98; Bennet street, $655 57; Appleton street, $1483 43.

The order was passed.

Alderman Fairbanks also reported leave to withdraw on the petition of Wm. Sawyer for an abatement of a sewer assessment on Eustis street, and no action necessary on petition of Wm. W. Baker and others.

Alderman White, from the Committee on Health, reported in favor of the petition of M. J. Putney for leave to remove a stable and reoccupy the same, and leave to withdraw on remonstrance of J. M. Plaisted and others, against the same. Accepted.

ORDERS PASSED.

On motion of Alderman Richards,

Ordered, That the sum of $550 be and hereby is appropriated for the repairs of Hose Carriage No. 9, under the direction of the Committee on Fire Department, the same to be charged to the appropriation for the Fire Department.

On motion of Alderman Seaver,

Ordered, That there be allowed and paid to Harrison Marsh, patrol police officer, the sum of twenty dollars, to reimburse him for loss by receiving a counterfeit bill of that amount in pay of his salary at the Treasurer's office, said sum to be charged to the Appropriation for Police.

Ordered, That the Committee on Police be authorized to provide the necessary furniture for Police Station No. 6, at an expense not exceeding $1500, to be charged to the Appropriation for Police.

On motion of Alderman Talbot,

Ordered, That the estate No. 15 Washington avenue, belonging to the heirs of Adna Bates, be purchased in the settlement of damages occasioned by the grading of that street, at a cost of $5000, to be charged to the Fort Hill Improvement Loan.

Ordered, That the safety and convenience of the inhabitants require that Federal street be widened, at No. 81, by taking eighty-two feet of land of Geo. T. Bigelow and others, at an estimated expense of $2750.

THE BURRILL CLAIM.

The special assignment, the Burrill claim, was taken up, the question being upon its final passage.

Alderman Bradlee addressed the Board at considerable length in opposition to the claim.

Under the contract of may 31, 1864, the city expected of Mr. Burrill to get recruits, but Mr. Burrill says naval credits, but the weight of the testimony was against him. Not only was there corroborative evidence in favor of the city, but Mr. Burrill must have known that the laws of the State at the time prohibited the payment of bounties to soldiers. The powers of the city being clearly defined, the mayor could not sanction an agreement or contract contrary to the laws, neither could Mr. Burrill have expected it.

On the ground that Mr. Burrill influenced legislation at Washington, to obtain the allowance of naval credits, the principle was established by the act of February 22, 1864, three months before the negotiations were made with Mr. Burrill. That act, it was true, applied only to men enlisted in the navy or marine corps after that date, but the principle was established, and was subsequently carried out by other acts.

The act of 1st July, allowing naval credits on prior enlistments, was passed without opposition, as shown by the reports of proceedings of Congress. The act of July 4, was not opposed, and a Committee of Conference to whom it was referred, simply reported an amendment that satisfactory proof should be made to the Secretary of War. These facts, he contended, were sufficient to show that as there was no opposition, there could be no need of the influence of Mr. Burrill.

If such labor was performed there was no evidence produced, except that of one Roberts, of whom Mr. Burrill did not know much, nor did it appear that any one else did.

The list of names which was put before the Commissioners, was allowed to go in by Judge Sanger, Burrill's counsel, with the understanding that it should not prejudice the case of the city. The Mayor and Aldermen and Mr. Healey corroborate this view, while Mr. Sanger states that he does not remember the agreement to that effect.

Then if Mr Burrill did copy or cause to be copied a list of names, if he was working with an interest which I believe was contrary to the letter and the spirit of any negotiations he may have had with the city to provide men on the quota, can he rightly come here and ask for compensation for such services or can we honorably or justly comply with any such demand.

[Alderman Bradlee here read from the argument of the City Solicitor in relation to the Naval credits. The Solicitor said in substance, that after it was known these credits would be allowed, and that the recruiting officers in New York knew that they would, and were acting on that conclusion, it looked as though Mr. Burrill, foreseeing that these credits would be allowed, held out the Rock Island men as decoys to get a contract which should appear to be putting men into the service and answering the requirements of the law, with the intent of procuring these credits when Congress should put it in his power to do so. Under such circumstances, were the service a hundred times more, and with that intent, Mr. Burrill cannot be entitled to compensation.]

The statement of the City Solicitor is the deliberate opinion of a man who has been so many years chosen as the adviser of the city on all legal questions and questions difficult to solve—a man of large experience in sifting wheat from the chaff in testimony, and in this case his opinion is doubly valuable from his *connection with* and *thorough knowledge of* this case from its early stages.

In conclusion, he trusted the Board would consider, before they voted to give money where they had no right to vote, simply to close up this matter. There was no claim on a legal or equitable ground, and they should consider well before they establish so dangerous a precedent.

Alderman Baldwin said he should approach the subject, as a member of the committee, without excitement or prejudice. He thought it unfortunate that a matter so important should come up at the close of the term of the City Government, when the large mass of evidence could not be read and fully digested. The appearance of Mr. Burrill before the Committee was very favorable, much more so than he expected, and he did not think that any person could read the evidence without being satisfied that there was a claim.

The contract with Mayor Lincoln was read, and it was stated that Mr. Burrill had previously been engaged by other towns and cities in obtaining naval credits; Mr. Burrill had access to means not generally known to others, and, under the fear of a draft, this fact was deemed sufficient evidence that Mr. Burrill was the man to procure these credits. So far as the testimony of Mr. Lincoln was concerned, he did not suppose that recruits could be obtained from Rock Island for $125 each, when at the time such recruits were worth $600 or $700.

The letter to the Provost-Marshal-General, he believed was evidence that the city intended to pay Mr. Burrill for the list of 6529 names, as naval credits and in the belief that he should make a

large amount of money in obtaining the credits he unquestionably spent his means quite freely in procuring the passage of the law allowing the credits. Mr. Burrill was then a man of considerable means, but now was poor, showing that he did freely expend his money. So far from deeming it singular that there was no more corroboration of Mr, Burrill, he thought that the testimony of Aldermen Norcross and Nash went far to the corroboration of his testimony.

Alderman Baldwin commented upon the disputed matter of the waiver of the claim of Burrill by Judge Sanger. He further thought that the Common Council would not have time to consider the subject in a way it should be, and he moved to refer it to the next City Government.

The motion was lost by the following vote:

Yeas—Baldwin, Van Nostrand.

Nays—Bradlee, Fairbanks, Hawes, James, Pratt, Richards, Rice, Sever, Talbot, White.

Alderman Richards said he voted against sending this matter to the next City Government on the ground that the present City Government is best able to judge of the merits of the case. Throwing aside the matter of legal claim, the question was whether there was a moral or equitable claim. Referring to the circumstances of the city at the time, after it was found unnecessary to obtain the full number of names, the offer of $125,000 was evidence that the city authorities believed there were services performed, and it may be presumed that if carried out at the time, that amount would have been paid.

The question being on action at this time, he deferred to the judgment of the Chairman of the Committee, and he should vote for the order as it was offered by him.

Alderman Baldwin moved to amend this order by making the amount $100,000. This was lost by a vote of 2 to 10, as in the case of reference to the next City Government.

Alderman Pratt said that, setting aside the legal claim, which had been abandoned, and not being satisfied fully of the equity of the claim, although there was a doubt in favor of Mr. Burrill, he could not vote for the amount fixed by the order, and he moved to amend by making the amount $5000.

The vote was as follows:

Yeas—Pratt, Seaver.

Nays—Baldwin, Bradlee, Fairbanks, Hawes, James, Rice, Richards, Talbot, White, Van Nostrand

Alderman Talbot stated in regard to the list which went before the Commissioners, the controversy had already been commenced, and the fact that Judge Sanger yielded the claim was vital, for this was the consideration that led the city to adopt the Burrill list. The Commissioners would not have received the list, except as the list of the city. The city could have received the credits in some other way.

The vote was then taken upon the order to pay $25,000, which was lost, by a tie vote, as follows:

Yeas—Fairbanks, Hawes, Rice, Richards, Talbot, White.

Nays—Baldwin, Bradlee, James, Pratt, Seaver, Van Nostrand.

Adjourned.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## DECEMBER 23, 1869.

The regular weekly meeting of the Common Council was held this evening, at 7½ o'clock, Wm. G. Harris, the President, in the chair.

PAPERS FROM THE BOARD OF ALDERMEN.

The petition of Wm. A. Guild was referred to the Committee on Public Lands, in concurrence.

The request of Committee on Public Buildings, for an additional appropriation of eight thousand dollars to defray the ordinary expenses of the department for the remainder of the financial year, was referred in concurrence.

The following orders were severally read twice and passed:

Order for a release to J. A. Lowell of about eleven thousand four hundred and eighty-one square feet of land, the portion of Heath street discontinued 11th October, 1869.

Order to procure a phonographic report, and print one thousand copies of the arguments and opinions of experts, presented before the Massachusetts House of Representatives relative to filling Charles river.

Order to take the estate surrendered by Joseph M. Wightman, for the purpose of widening Hanover street, at an expense of nine thousand five hundred dollars.

Order to release to Rebecca G. Ralph, and D. G. Haskins, trustees, about four thousand two hundred and twenty-four square feet of land on Warren street, Highlands, upon the said trustees releasing to the city about four hundred and eighty square feet of land; said order being in conformity with an order of the City Council of Roxbury, of May 19, 1863.

Order to pay for preparing a digest of the city ordinances and the general statutes relating to the city of Boston.

Order requesting Mayor to petition General Court for authority to take, by purchase or otherwise, land in Boston or vicinity for one large park or several small ones. Also, an order that one thousand copies of the report of the Committee on the subject be printed with the accompanying statements and communications.

Order to purchase the estate of heirs of Adna Bates, at a cost of $5000, in the settlement of damages in the grading of Washington avenue.

EXTENSION OF WASHINGTON STREET.

The Resolves and Orders to extend Washington street from Cornhill to Haymarket square, and Portland street from Hanover street to Washington street, extended, and for a loan of fourteen hundred thousand dollars to be appropriated therefor, (printed City Doc. No. 112, 1869) were considered.

Mr. Gray of Ward Twelve moved their reference to the Committee on Streets of the Common Council.

Mr. Richards of Ward Eight trusted no such reference would be made, now that the year had so nearly expired. Every gentleman must be familiar with the subject and have made up his mind on it. It would cause a delay of a week, and no more information could be given by the Committee than the members now have.

The motion to refer to the Committee on Streets was lost.

Mr. Wadsworth of Ward Four stated that he saw in the proceedings of the other Board that the Chairman of the Committee had voted against the extension. If he, after all the time and consideration given to the subject, votes against it, he supposed it must be for some good reason. Knowing as he did that Washington street was already too much crowded, and needed relief, Mr. Wadsworth thought a better plan would be to run a straight line from Tremont street at Pemberton square, intersecting Hanover street at the corner of Elm and Portland streets, and reaching Haymarket square at the corner of Sudbury street. This plan would relieve Washington street, and provide a convenient route from Haymarket square to Tremont street.

Then should Devonshire street be extended to Dock square, thence in a straight line to meet the other proposed street, and there would be another convenient avenue through the city from the Highlands, through Albany and Devonshire streets to the bridges and depots, which would also relieve Washington street, and be carried out at a much less expense than the proposed extention of Washington street. To give further time for the consideration of this plan, he would move a reference of the subject to the next City Council.

The reference to the next City Council was lost by a vote of 22 yeas to 31 nays, as follows:

Yeas—Bond, Braman, A. F. Cole, Conant, Crowley, Daniels, Denny, Emerson, Frost, Gay, Gray, Noyes, Pickering, Poor, Rich, Richards, Snow, Squires, Tucker, Vannevar, Wadsworth, Woods.

Nays—Batchelder, Butler, M. J. Cole, Davis, Dinsmore, Doherty, Flanders, Flynn, Going, Hall, Hobbs, Hopkins, Ingalls, Jacobs, Jenks, Judson, Keany, Keith, Kingsbury, Leighton, Lucas, Mullane, Nelson, Osborn, Pote, Rogers, Ryan, Talbot Wells, Woolley, Young.

The resolves and orders were then ordered to a second reading by a vote of 30 to 19.

SUFFOLK STREET DISTRICT.

The report and orders in relation to Suffolk Street District, printed city document No. 105, 1869, for taking certain parcels of land in said district under the act of the General Court as in said document described; and for a loan of five hundred thousand dollars to be applied therefor were taken up.

The orders were read once.

Mr. Osborn of Ward Six stated that this subject was one of very great importance, and required a careful study. It contained a startling array of figures, but, if examined carefully with a visit to the territory, there would be no difficulty in coming to a satisfactory result.

Mr. Wadsworth was proceeding to comment upon the orders, when Mr. Rich of Ward Fourteen raised a point of order that the subject of the Suffolk Street District was not now before the Council.

Mr. Osborn asked universal consent that the gentleman from Ward Four might proceed, but Mr. Rich insisted on his point of order.

Mr. Osborn moved a suspension of the rules, and after another question of order was raised, again asked the members of the Council to attentively examine the subject before the next meeting, confident that such an examination would lead to an affirmative decision in reference to the orders for improving the Suffolk Street District.

The resolve and order to widen Federal street by taking land of Geo. T. Bigelow and others, at a cost of $2750, was considered.

Mr. Wadsworth of Ward Four said he had looked at the premises and found that the line took fifteen inches at one point and eighteen at the other, cutting off little more than the wall. The building was old and must soon come down, and he did not think the large expense was warranted at this time. He moved its reference to the Committee on Streets of the Common Council, which was carried.

UNFINISHED BUSINESS.

The following orders were read a second time and passed:

Order authorizing the room in Mather School Building, formerly occupied by the Police, to be altered for the accommodation of scholars from the Lawrence School.

Order appropriating fifteen hundred dollars towards the alterations and repairs required on on the Jail, the Jail fence, and for moving within the line.

Order authorizing alterations in the plans for the roof of the new Normal School Building, to afford facilities for astronomical studies.

The order requesting the Mayor to petition the Legislature for an act, providing that after 1870 the Board of Aldermen shall consist of sixteen members, was taken up for consideration.

Mr. Keith of Ward Fifteen said he offered a few suggestions on this matter at the last meeting of the Council, and wished to say a few words on the subject in answer to objections which had been urged against his proposition. The proposed measure, it was said by one of the public prints, had been tried and failed, which he pronounced an utter mistake. Under the original charter of this city there were twelve wards and but eight aldermen, which continued until 1854, when there was an increase to twelve aldermen. Although elected on a general ticket, there was care used to elect

one alderman from each ward. The whole city then was but as large as the three southern wards now, was very compact, and there was but little necessity of giving one alderman to each ward. But with the large annexation of territory, wards are left without a representative in the Board of Aldermen, with whose interests Aldermen of other wards cannot possibly be familiar. This state of things would be likely to happen constantly under the present system of selecting and electing Aldermen. It was said there was less need of an Alderman in every ward, because there were to be Street Commissioners; but that argument was disposed of by the recent action of the Board. It was also said that Aldermen should represent the whole city; but it could not be objected that members of the Council any the less represented the whole city because they were elected from wards. Each ward should be represented in the other branch on account of streets, health and other matters, for in cases of emergency in territory not represented, it would be difficult to go a great distance to the City Hall to meet such cases.

It was also objected that an Alderman from each ward would be but a fifth Councilman, but this he denied, for the Aldermen were required to act upon matters which did not come before the Council, and, in fact, the most important business of the city was disposed of by that branch, the Council having little else in many matters but to vote the appropriations, without any voice as to how they are to be disbursed.

The advantages in the selection of a candidate by the citizens of each ward would be, that men of enlarged views would be chosen, who would be responsible to those citizens, and the credit or disgrace of the choice would attach to them. If one party should select a weak candidate, it would be an inducement for the other to put up a stronger one. If wards are to be put under guardianship in the selection of their candidates for office, then republican governments have failed of their object. The principle of representation by each ward he contended for, and if it suited others better, he did not care if they were elected on a general ticket. He would like to hear a discussion on the subject, and if it would be more satisfactory, he had an amendment which he would offer, providing that the election may be by general ticket, and the person in each ward having the highest number of votes shall be elected.

Mr. Pickering of Ward Fourteen inquired if the amendment limited the number of Aldermen to 16, for with the movements of annexation there would soon be additional wards.

Mr. Keith replied that he had no objection to making the number equal to the number of wards whatever number they might be. He did not believe, however, that there would be any more territory annexed for several years to come.

Mr. Ingalls of Ward Twelve said he saw some difficulties in this matter, and for that reason he some time since moved the appointment of a Committee on the revision of the City Charter. One of the projects of the gentleman from Ward Fifteen in a proposed amendment of the City Charter had been lost, and this would incur additional expense without giving relief. What was wanted was joint action of the Council in relation to the streets, paving, &c., but it was too late now to provide for such amendments to the City Charter. There was a chance for another amendment, which he would move, and that was a reduction of the number of members of the Common Council to three from each ward.

The amendment of Mr. Ingalls to the order of Mr. Keith was carried.

Mr. Wadsworth of Ward Four was of the opinion that if the election of each Alderman was to be by the citizens alone of each Ward, the Board would soon be reduced to Ward politicians.

Mr. Keith, in reply to inquiries and objections, offered his amendment to elect by a general ticket, stating that the one having the highest vote in each Ward shall be declared elected, and no other, even if the next has a larger number of votes than some candidates in other Wards.

Mr. Jenks of Ward Three hoped the order would not pass, for if the amendment should be adopted, there would be sixteen candidates to be bled and sold out instead of twelve, as at the last election.

The order as amended was passed, by a vote of 34 to 16, and is as follows:

Ordered, That His Honor the Mayor be requested to petition the next Legislature for the passage of an act to so amend the city charter as to provide that from and after the year 1870, the Board of Aldermen shall consist of sixteen members, one member to be chosen from each Ward on a general ticket, the person in each Ward receiving the highest number of votes to be declared elected, and the Common Council shall consist of three members from each Ward.

REPORTS OF COMMITTEES.

Mr. Nelson of Ward Nine, from the Joint Standing Committee on Overseers of Poor, to whom was referred the petition of Isabella Baxter and other working women of this city for pecuniary or other assistance during the present winter, and also the petition of Elizabeth Daniels and others in aid of the same, having considered the subject, made the following report:

Since the reference of the petitions above named, a long communication has been received from some of the petitioners through the hands of his Honor the Mayor, stating in substance that, in view of the present condition of the State laws under which aid is furnished to the deserving poor of the city, they would not ask any favor from the city government.

As there appears to be a very deep feeling of dissatisfaction on the part of these petitioners with the present legislative enactments in regard to the poor, the Committee would recommend that the petition be referred to the Overseers of the Poor, with a request that they will give the petitioners a hearing, and report to the City Council whether in their opinion any changes are required in the General Statutes to enable the City Government to afford sufficient and proper relief to those who are in necessitous circumstances.

The report was accepted.

Mr. Nelson, from the same committee, to whom was referred the petition of Philip Davies, that the city would establish a temporary home for inebriates, made a report recommending that the petition be referred to the next City Council. Accepted.

The same Committee, to whom was referred the petition of the Sisters of Charity for pecuniary aid to the Carney Hospital, having considered the subject, made a report recommending that the petitioners have leave to withdraw. Accepted.

Mr. Keith of Ward Fifteen, from the Joint Standing Committee on Public Buildings, (who were directed to procure plans and estimates for a primary schoolhouse to be erected on Yeoman street,) made a report that they have caused plans to be made, which have been approved by the Committee on Public Instruction, and have received proposals, from which they find it will cost $50,000 to erect and furnish the building. They would therefore recommend the passage of the following orders:

Ordered, That the Committee on Public Buildings be authorized to erect a Primary Schoolhouse on Yeoman street, according to plans approved by the Committee on Public Instruction, and to furnish the same, at a cost not exceeding $50,000.

Ordered, That the Treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $50,000, to be appropriated for building and furnishing a Primary Schoolhouse in Yeoman street.

The report was accepted and the orders were read twice and passed.

Mr. Gray of Ward Twelve, from the Joint Standing Committee on the Assessors' Department, to whom was referred the petition of Orison Adams and L. D. Packard for the Centenary Methodist Church, that the tax assessed for the year 1869 upon the church edifice in process of erection at No. 428 Broadway, South Boston, be abated in full, made a report that during the severe gale of September 8 the building, which was nearly completed, was almost wholly destroyed, a very heavy loss upon the society. Under these circumstances the committee would recommend the passage of the accompanying order to abate the tax:

Ordered, That the Treasurer be authorized to remit the full amount of the tax assessed for the year 1869, upon the estate No. 428 Broadway, South Boston, owned by the Centenary Methodist Episcopal Church.

The order was read twice and passed.

The same committee, to whom was referred the petition of Elizabeth G. Phelps, administratrix, for abatement of taxes assessed on her for the years 1866, 1867 and 1868, made a report that the petitioner have leave to withdraw. Accepted.

Mr. Hopkins, from the same Committee, offered the following order, which was passed:

Ordered, That the Joint Committee on the Assessors' Department be authorized to expend a sum not exceeding $1000 in re-arranging the books and records for the Dorchester District, said sum to be charged to the Appropriation for Salaries.

LUNATIC HOSPITAL.

On motion of Mr. Hall of Ward One, the report of the Committee on the purchase of a site for a new Lunatic Hospital, was taken from the table.

Mr. Hall moved to substitute for the orders appended to the report, an order that the plans and estimates for a hospital as drawn by N. J. Bradlee, and submitted to the City Council Oct. 4, 1867, be and the same are hereby approved.

Mr. Hall wished to give his reasons for this order. His experience had been that there is a necessity for a Lunatic Hospital. There had been no matter which touched his feelings so much as had the character of the present hospital. It was found that the Directors had always been in favor of the locality in Winthrop, and without taking any more time of the Council he would give way for action on the order.

Mr. Snow of Ward Eleven inquired as to the character of the amendment.

Some discussion ensued under an inquiry of Mr. Snow whether the plans referred to were the original plans which were vetoed by Mayor Norcross, or the modified plans subsequently proposed.

Mr. Hall said he was not quite clear in the matter, for it had been brought fresh to his mind this evening.

Mr. Ingalls of Ward Twelve made a statement of the several steps which had been taken on this subject, in the purchase of the estate at Winthrop, the passage of the orders adopting plans and estimates by Mr. Bradlee, and the vetoing of the orders by the Mayor. Up to that time, he said, there was no other question but that of the location of the hospital at Winthrop, but since then gross misrepresentations had been made of the character of that site.

The first question to be decided was whether the Codman estate should be purchased. He objected to such a purchase because of the great advance on the price since 1865; objected also to paying so large a price for a site merely, and objected further, that the location was not a suitable one, and in the course of thirty years it will be surrounded by a crowded population. When the city shall be thickly settled around this hospital, it must be moved. We should profit by those who have gone before us, and not make the mistakes as in the hospitals at Worcester, Bloomingdale and elsewhere.

Breed's Island was objectionable on the ground of expense, and there was no other site to be chosen but that at Winthrop. This Council was not responsible for the purchase of the Winthrop site, and it was the duty of the Council, if it can do so, to show that the Council of 1865 made a mistake before objecting to that location. So far as objections were made, those objections were solely from the veto of Mayor Norcross, in misapprehending the character of the location. All of those objections had been removed by the recently published documents. The only objection of any weight was that of Mr. Geo. B. Emerson, whose rapid change from his former opinion can be judged from his interest in the matter.

If Winthrop Farm was not fit for human habitation, then the city had for years been murdering its paupers at Deer Island, and no complaint had come up against such slaughter. The objections came really from those who were opposed to any new hospital. Such a hospital must be provided, else the lunatics must be sent to Taunton or to Worcester. It is said, "If a hospital is to be provided, the Codman estate is the best." They hardly dare oppose the construction of a new hospital directly, but do it in this guarded sort of way.

Mr. Osborn of Ward Six rose to a question of order that the amendment was not in accordance with the subject of the original order, the rules of the Council prohibiting the proposed amendment. Under the amendment the Board of Directors might proceed to the erection of a building, an appropriation of $100,000 having been made and is now in the city treasury. This order could be passed by a majority vote, while the purchase of a site, before the Council, required a vote of two-thirds of the Council.

Mr. Ingalls believed that a substitute was always in order, it being so in practice in legislative assemblies.

The Chair ruled that the substitute could not be received under the rules, because in this case the duties of the committee were clearly defined as charged with selecting a site for a hospital, while the substitute had reference to the erection of a building.

Mr. Denny of Ward Ten said the order of the gentleman from Ward One presented the subject in a new light, which he was not prepared to vote on. He was prepared to vote on the order before the Council, and should vote against it. In relation to the Winthrop Farm, the objections had proved to be of no weight. Mayor Norcross was no expert in the matter. Men in whom he had confidence favored that location, and while he was in favor of it, he was not prepared now to vote for the plans and estimates.

Mr. Snow of Ward Eleven said he did not anticipate discussion on this subject when he came to the Council this evening, and hoped no action would be taken in relation to it by this Council. So far as related to the Winthrop site, he went down there during the past season without any prejudice on the subject, and after a thorough examination of the Winthrop Farm by the aid of the plans, he was convinced that it was not a fit location for a Lunatic Hospital He at that time took a sketch of the only two trees remaining. He hoped the subject would be referred to the next City Council, and moved such a reference.

Mr. Hall stated that after an examination he was satisfied that the orders offered by him related to the modified plans made by Mr. Bradlee.

The question was taken on the motion to refer to the next City Council, which was lost, when the orders to purchase the Codman estate were refused a second reading.

Mr. Ingalls, in order to have a direct vote on the question of the Winthrop estate, submitted the order offered by Mr. Hall to be acted upon by itself, and on his motion the consideration of it was postponed to the next meeting of the Council.

It was voted that when the Council adjourn, it be to Thursday next, 5 o'clock.

On motion of Mr. Wells of Ward Three, the reference to the next City Council of the orders authorizing the purchase of thirteen thousand seven hundred and fifty feet of land on the corner of Sixth and I streets, at an expense not exceeding $6700, for the purposes of building a Primary schoolhouse, and the borrowing of money therefor, was reconsidered, when the orders were passed, after a statement by Mr. Osborn that the purchase at this time would be a good bargain for the city.

On motion of Mr. Osborn of Ward Six, the order authorizing the Committee on Public Buildings to hire rooms at No. 11 Pemberton square, at an annual rental not exceeding $1500, and furnish said rooms for the accommodation of the school for deaf mutes, was taken from the table.

Mr. Osborn urged the selection of rooms in Pemberton square, because of their accessibility and because a central location was necessary to the safety of the pupils, who, being deprived of some of their faculties, required particular care. He referred to the change of public opinion which had occurred in reference to the treatment of the unfortunate, so that now those whom the Almighty had afflicted were relieved so far as they could be by the tender solicitude of the community. After due consideration of the matter, he did not see how any member of the Council could vote against the order.

Mr. Wells of Ward Three moved to lay the order on the table.

Mr. Hobbs of Ward Fourteen hoped the motion would not prevail, and stated the reasons why the Committee had selected the rooms provided for in the order.

The motion was lost.

Mr. Jenks of Ward Three opposed the order on the ground that it was impossible to care for these pupils so well in a school here as at Hartford.

The order was passed.

Adjourned to Thursday, 5 o'clock.

Snow

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen, DECEMBER 27, 1869.

The regular weekly meeting of the Board of Aldermen was held this afternoon, at 4 o'clock, Mayor Shurtleff presiding.

APPOINTMENTS MADE AND CONFIRMED.

*Police Officers*—(At request of Committee on Police). Edward Tracy, T. I. Munroe, T. H. Ledworth.

*Special Officers, without pay.* Benjamin W. Hatch, 847 Washington street; John W. Blatchford, for Morgan Chapel.

*Fire Department.* Alexander P. Hawkins, driver, hose carriage No. 10; Frank H. Ferris, fireman, Engine No. 2; Eugene C. Phillips, driver, Engine No. 15; James Kain, fireman, Engine No. 15.

Hook and Ladder Co. No. 5—John B. Hill, Daniel Weston, T. C. Dunn, Humphrey Choate, Chas. Spear, Rufus Jones, Appleton Lathe, L. M. Clifford, Wm. Sheene, Lyman Locke, H. B. Fowler, John F. Howard, John Hodgkins, Alexander McKenzie, David Kurrus, A. E. Goodwin, J. J. Ball, E. A. Perkins, Frank Sibley.

Engine No. 1—John C. Healy.

Hose Co. No. 9—George W. Stone.

Hook and Ladder No. 3—Robert B. Riley.

Engine No. 15—O. L. Woods, D. P. Leonard, Charles E. Reed, Alonzo Doniells, Amos Marshall, James Bennett.

Frederick M. Hines, foreman of hose, Engine Co. No. 3; Daniel F. Marden, do. of Engine Co. No. 7; Charles H. Blake, do. of Engine Co. No. 8; Nicholas C. Cogley, do. Engine Co. No. 15; John B. Hill, do. of Hook and Ladder No. 5; L. M. Clifford, assistant foreman Hook and Ladder No. 5; Appleton Lathe, Rufus Jones, A. E. Goodwin, axemen; E. A. Perkins, Alexander McKenzie and David Kurrus, rakemen of Hook and Ladder No. 5.

PETITIONS PRESENTED AND REFERRED.

Timothy H. Carter, to be paid for grade damages in Water street and Spring lane

Lucinda E. Phillips, for damages for raising grade of Tremont street.

John F. Farrington and others, that Clarendon street, near Chandler street, be graded, &c.

Thomas Keyes & Co., for leave to close a portion of Fayette street.

Severally referred to the Committee on Paving, the last with full powers.

Thomas J. O'Conner, for leave to sell papers in this city.

J. B. McCrea and others, for license to keep an intelligence office at 48 Cambridge street.

Severally referred to the Committee on Licenses.

*Horse Car Tracks on Summer street.* Petitions were presented from the President and Directors of the Boston, Hartford & Erie Railroad Company, James B. Field and others. Samuel C. Nason and others, and J. H. Lester and others, several hundred in number, in favor of a horse railroad track in Albany, Lincoln and Summer streets.

Remonstrances were presented from Gardner Brewer & Co., and others, business firms, and from Page, Fifield & Co., and others, truckmen, against the same.

Severally referred to the Committee on Paving.

NOTICES OF INTENTION TO BUILD.

F. A. Richardson, Waltham street, between Washington street and Harrison avenue; F. O. Clark, Gold street, between F. and Dorchester streets; T. P. Briggs, 108 Marlboro' street; B. F. Dewing, Milford street, near Shawmut avenue; D. L. Grady, Haynes street, near Orleans street; Ware & Van Brunt, corner of Water and Congress streets. Severally referred to the Committee on Streets.

MATTHEWS STREET WIDENING.

An order of notice from the Supreme Judicial Court, on petition of J. M. Jones, Thomas E. Proctor and others, for a writ of certiorari requiring a return of records of the doings of the Board of Aldermen relative to the assessment of betterments on petitioners for the widening of Matthews streets, was laid before the Board, and referred to the City Solicitor. The petition contains eigh specifications, alleging erroneous and unlawful proceedings, in assessing a larger part of the expenses of widening upon the abutters, in violating the laws for the assessment of betterments, also because the said statutes are unconstitutional and void for various reasons. Hearing first Tuesday in February next.

HEARINGS ON ORDERS OF NOTICE.

The hearings on the several orders of notice on the proposed laying out of Halleck street, between Station and Ward streets; of Weston street, between Tremont and Windsor streets; of Prentiss street, between Tremont and Parker streets; of Mindora street, between Station and Prentiss streets; and of Windsor street, between Ruggles and Weston streets, were severally taken up and were recommitted.

The hearing on petition of H. L. Batchelder for leave to put up a steam engine at No. 57 Harrison avenue, was taken up. No person appearing, the report was recommended

The hearings on petitions of J. F. Mayo for leave to build a stable in Wilmont street, and of Reuben J. Garlick for leave to erect a stable on Bower and Sherman streets, were taken up and the report was recommitted.

PAPERS FROM THE COMMON COUNCIL.

The following reports were severally accepted in concurrence:

Report "leave to withdraw" on petition of E. G. Phelps for abatement of tax.

Report to refer the petition of Isabella Baxter and others to Overseers of the Poor, to hear petitioners and report if any relief can be obtained for them.

Report "leave to withdraw" on petition of Sisters of Charity for pecuniary aid, etc., to Carney Hospital.

Report "reference to next City Council" on petition of Philip Davies *et als.* for a Home for Inebriates.

The following orders were severally passed in concurrence:

Report and order to abate a tax on Centenary M. E. Church on Broadway.

Report and order to purchase land (13,750 feet) at corner of Sixth and I streets for a primary school lot ($7000).

Order to hire rooms in Pemberton square for a school for deaf mutes.

In answer to an inquiry of Alderman Talbot, Alderman White stated that the rooms were not those first selected, but were down stairs, while the others were in the attic.

Order for Committee on the Assessors' Department to expend $1000 for arranging books for assessment of Ward Sixteen.

Report and order for erection of a primary schoolhouse on Yeoman street, at a cost of $50,000.

Order to alter plans for roof of Normal School building so as to afford facilities for astronomical observations.

The order requesting the Mayor to petition the Legislature for such an alteration of the city charter as will increase the number of Aldermen to sixteen, and reduce the number of members of the Common Council to three for each ward, was rejected by a vote of three to eight, as follows:

For—Richards, Fairbanks, Seaver.

Against—James, Baldwin, White, Rice, Bradlee, Talbot, Pratt, Hawes.

REPORTS OF COMMITTEES.

Alderman James, from the Committee on Finance, to whom was referred the report of the Committee on Public Buildings, for an additional appropriation of $8000, made a report, recommending the passage of the accompanying order, granting said request:

Ordered, That the Auditor of Accounts be authorized to transfer from the Reserved Fund to the appropriation for Public Buildings the sum of $8000.

Read twice and passed.

Alderman White, from the Committee on Licenses, reported in favor of the petition of James McCarty for leave to give a concert in Franklin Hall, January 3. Accepted.

Alderman White also reported in favor of certain licenses for wagons, wagon-stands, and transfer of wagon licenses; also a license as a dealer in second-hand articles, and a license as a common victualler, and a transfer of an innholder's license; leave to withdraw on petition of George T. Sanderson for a wagon license. Severally accepted.

Renewals of licenses as auctioneers were also reported and accepted as follows:

Moses Colman & Son, Henshaw & Brother, Isburgh & Rowland, Francis Sprague & Co., D. H. Bayley & Co., D. F. McGilvray & Co., Horace L. Collamore & Co., Coleman Cook, George M. Atwood, Joseph Leonard & Co., Wm. Cook & Co., F. D. Osgood & Atwood, Isaac Abrams, Thos. H. Webb & Co., W. S. & J. Kyle, W. H. Merriam, Horatio Harris & Co., John Tyler, Wm. H. Fitzpatrick & Co., Leonard, Bird & Co.

Alderman White, from the Special Committee to whom was referred the petition of Josiah M. Thing, for reappointment as constable, made a report leave to withdraw, which was accepted.

Alderman Talbot, from the Committee on streets, reported no action necessary on sundry notices of intention to build. Accepted.

Alderman White, from Committee on Health, to whom was referred the order of Dec. 13, respecting the collection and removal of house offal from East Boston for one year from Jan. 1, 1870, made a report that the award of the same has been made to Mr. James O. Young for the sum of $600, and requested the approval of this Board.

The report was accepted, and the contract was approved.

The same Committee reported in favor of the petition of John Perkins, for leave to build a stable at 105 Sumner street, and of John Porter to build a stable at 95 Heath street. Accepted.

Alderman Van Nostrand, from the Committee on Assessors' Department of the Board of Aldermen, reported leave to withdraw on petition of Daniel P. Shillaber, for abatement of tax on estate in Court street the present year; also leave to withdraw on petition of Owen Howard, for abatement of tax on estate No. 13 South Margin street; no action necessary on petition of W. H., J. G., and Sarah Montague for abatement of taxes on estate in Emerald street, the petitioners not having complied with the requirements of the statutes by first making application to the Board of Assessors. Severally accepted.

Alderman Richards, from the Committee on the Church Street District, to whom was referred the petition of J. E. & N. Brown and others, owners and lessees of property abutting on the westerly side of Ferdinand street, to be compensated for damages on account of the operations of the city on the Church Street District, made a report that as their claims were for alleged damages to property outside of the Church Street District, they should properly be investigated by the Committee on Claims, and this Committee would, therefore, recommend that they be referred to that Committee of the next City Council.

Read and accepted.

REVISED ORDINANCES.

Alderman Bradlee, from the Committee on Ordinances, made a report in print of the Revised Ordinances of the city, under an order of the City Council of Jan. 22, 1869, with a recommendation of the passage of the ordinance and orders appended, declaring the Revised Ordinances contained in the volume to be the ordinances, and the rules and orders to be the rules and orders, of the Board of Aldermen.

The Committee state that the general plan of revision is substantially that of 1850, 1856 and 1863, and contains a digest of the special statutes relating to the city, with such general statutes as are of municipal interest, alphabetically arranged, and with the revised ordinances, revised rules and orders, and historical notes and references to judicial decisions.

The Committee had endeavored to make the work as complete as possible, obtaining suggestions from heads of departments and other sources, and no substantial alteration has been made without the approval of the City Council. The preparation of the digest was placed in the hands of the City Solicitor, City Clerk and Clerk of Committees, as best qualified for the task, and they have made some changes in the arrangement of topics and in the style of printing, which will be found an improvement.

The State legislation on the subject of street railways, and the orders of location, making 250 pages, have been printed in a separate volume, as more convenient, relating to such railroads.

The Committee recommend that at the beginning of every year, hereafter, the statutes and ordinances relating to the city, and the orders of a permanent character passed during the previous year, be collected and printed uniformly with this volume, with indexes in each and pages numbered continuously to facilitate references.

Under a suspension of the rules, the orders appended were passed, giving effect to the ordinances and orders contained in this volume of revised ordinances and orders, and repealing all ordinances and parts of ordinances inconsistent therewith; with the proviso that the repeal shall not affect any act done or any right accruing or accrued or established, or any suit or proceeding had or commenced in any civil case before the time such repeal shall take effect, nor any penalty nor forfeiture incurred, nor any suit pending for any offence or for the recovery of any penalty or forfeiture under any of the provisions so repealed; former ordinances not to be revived by the repeal, and all persons holding offices under ordinances so repealed shall continue to hold the same according to the tenure thereof, except those offices which may have been abolished and those except to which a different provision shall have been made by the preceding ordinances.

The order relating to the revised rules and regulations is of the same character with that relating to the revised ordinances, establishing the rules and orders and repealing others inconsistent therewith, with the same proviso of restrictions and limitations.

On motion of Alderman Bradlee,

Ordered, That three hundred copies of the new edition of the laws and ordinances be placed on sale at Little, Brown & Co.'s, at a price sufficient to cover the cost of preparing and printing and the commission of the vendors.

REPORT ON BATHING HOUSES.

Alderman Pratt, from the Joint Standing Committee on Public Baths, made the following report in relation to the public bathing establishments in the city of Boston during the season of 1869.

The appropriation made by the City Council for this department for the financial year 1869-70 was as follows:

| | |
|---|---|
| Building a new bath-house at East Boston.. | $3,000 |
| Repairs and alterations of present bath-houses, including the transfer of the house at East Boston to Roxbury Creek.. | 12,000 |
| Water for bath-house, Cabot street..... | 1,500 |
| Salaries of superintendents ..... | 8,000 |
| Furniture, stationery, printing, &c..... | 1,000 |
| Rents..... | 1,000 |
| Total estimated expense..... | $26,500 |

Upon the recommendations of the Committee orders were passed by the City Council April 30, 1869, for the repair and maintenance of the several bath-houses, at an expense not exceeding $12,000, for the construction of a new bath-house at East Boston, at an expense not exceeding $3000, and for such assistance as might be necessary, at an expense not to exceed the amount of the appropriation.

In accordance with the order of the City Council, a new bathing house for males was constructed at the sectional dock, Border street, East Boston, at an expense, including the furnishing, of $3220 41. The old bathing house at East Boston was transferred to the foot of Swett street, South Bay, and after being repaired at an expense of $430, was opened for the accommodation of the residents of that section of the city, making the whole number of bathing houses under the charge of the committee for the season of 1869, fifteen. All these establishments except the one located on Craigie's bridge (No. 2), are owned by the city. The Craigie's bridge bath-house is owned by Mr. Cyrus Bruce, and was hired by the city for $800, including superintendence and repairs.

On the 1st of June all the bathing houses were opened to the public, the locations and regulations being as follows:

[The committee here give the location of each house, and the rules and regulations as posted up in each of them. They then proceed.]

It will be seen from the abstract of the returns from the several bathing houses that the increase of the number of bathers this year over the previous year amounts to 181,457—more than twenty per cent., and the increase over the year 1866

when the baths were first opened, amounts to about one hundred and twenty-five per cent. Upon such a statement no comment is needed to show the great sanitary work which is accomplished by the establishment of these houses.

Although the total expense for this season has exceeded somewhat the expense of the previous season, the average cost of each bath is less, being one cent and two mills this year against one cent and five mills last year.

The wages of the superintendents of the bathing houses have been increased during the season from three dollars to three dollars and a half per day.

One extraordinary item of expense was caused by the repairs rendered necessary on account of the injuries from the hurricane which swept over the city in the early part of September.

The bath house at the foot of L street, South Boston, was especially injured, on account of its exposed location. The several establishments were closed on the 30th of September.

The following statements were made up from the records of the Superintendents:

GENERAL SUMMARY.

| | 1869. | 1868. | 1867. |
|---|---|---|---|
| Number of men bathers... | 215,828 | 175,597 | 177,797 |
| " boy " ... | 647,292 | 562,507 | 528,176 |
| " women " ... | 40,965 | 24,780 | 24,376 |
| " girl " ... | 119,989 | 79,733 | 76,852 |
| | 1,024,074 | 842,617 | 807,201 |

Number of towels hired..... 13,656

Percentage of towels hired to baths.....012

The cost of the several bathing houses from June 1 to Nov. 1 was as follows:

| | |
|---|---|
| Cost of W. Boston bridge bath..... | $914 78 |
| " Craigie's bridge bath..... | 808 00 |
| " Warren bridge bath (male)..... | 949 37 |
| " " " " (female).... | 873 09 |
| " East Boston bridge (male)..... | 3,797 41 |
| " " " (female)..... | 1,374 02 |
| " Arch wharf bath..... | 1,462 61 |
| " Mt. Washington ave. bridge.... | 741 62 |
| " foot of Broadway Bath..... | 961 78 |
| " " L street " ..... | 1,311 26 |
| " Dover Street Bridge Bath (male) | 976 49 |
| " " " " " (female) | 831 50 |
| " Cabot " (Highlands) Bath (male)..... | 864 01 |
| Cost of Cabot Street (Highlands) Bath (female)..... | 864 01 |
| Cost of Swett Street (South Bay) Bath... | 969 98 |
| General Expenses..... | 4,108 65 |
| Total Cost..... | $21,808 58 |

Average cost of each establishment, $1453 90.

Additional accommodations for bathing will be required next season at the foot of L street and at the foot of Broadway, South Boston, and at the Sectional Dock, East Boston.

The old house transferred from East Boston to South Bay was so defective at the end of the season that it was considered more economical to destroy it than to attempt to preserve it during the winter.

It will probably be necessary to change the location of bath house No. 7 from Arch wharf to a more suitable location. It would be more convenient if located in connection with No. 8 at Mount Washington Avenue Bridge.

Since the last annual report was made, the Cochituate Water Board have established in different sections of the city ten hydrants of a pattern adapted to the supply of water for persons and animals. The experiment appears to be highly satisfactory, and an additional number of hydrants will be introduced from time to time, until the maximum number authorized by the City Council is reached.

The report was accepted and was ordered to be printed.

ORDERS PASSED.

On motion of Alderman Richards,

Ordered, That the Chief Engineer of the Fire Department be and he is hereby authorized to purchase, under the direction of the Committee on Fire Department, one hook and ladder carriage for Hook and Ladder Company No. 1, at an expense not exceeding $1300, the same to be charged to the appropriation for the Fire Department.

Ordered, That the sum of $670 be and hereby is appropriated for the use of material, and building a temporary hook and ladder house on Bowker street, as per agreement of Committee on Fire Department, the same to be charged to the appropriation for the Fire Department.

On motion of Alderman James,

Ordered, That the Board establish the revised grade of Lenox street, between Shawmut avenue and Tremont street, as shown on a plan made by the City Surveyor, dated Oct. 20, 1869, approved by the Committee on Paving, and deposited in the office of said City Surveyor.

Ordered, That the Board establish the revised grade of Albany street, between the Boston & Albany Railroad bridge and Oswego street, as shown on a plan drawn by the City Surveyor, dated Nov. 29, 1869, approved by the Committee on Paving, and deposited in the office of said City Surveyor.

On motion of Alderman White,

Ordered, That the Superintendent of Health be and he is hereby directed to deliver to M. J. Putney, corner of Lucas and Village streets, twenty-five loads of ashes, more or less, and that the same be charged to said Putney at the rate of sixty cents per load.

On motion of Alderman Talbot,

Ordered, That there be paid to Rev. P. F. Lyndon, attorney for Rt. Rev. John J. Williams, Bishop of Boston, the sum of $52,965 for land taken and for all damages occasioned to the Church of Saint Vincent de Paul and the brick dwelling house adjoining, at the corner of Purchase and Pearl streets, by the widening and grading of the former street, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, that there be paid to Robert C. Nichols $1540 for land taken and damages occasioned by the extension of Zeigler street, by a resolve of Dec. 10, 1869, to be charged to the appropriation for laying out and widening streets.

Ordered, That there be paid to Joseph M. Wightman $9500 for his estate on Hanover street, surrendered to the city and taken by order of the City Council, by an order of Dec. 24, 1869, to be charged to the second Hanover Street Loan.

Ordered, That there be paid to Jonathan Ellis and the heirs of Charles Ellis, the sum of $4470 for land taken from and all damages occasioned to their estate on Oliver street, by the laying out, grading and extension of Pearl place, by a resolve of July 23, 1869, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to Nathaniel Parker's heirs $5173 70 for land taken, and damages occasioned by the widening and grading of Purchase street, by a resolve of July 23, 1869, conditioned upon a bond being given for the remaining one-ninth, owned by an heir in Europe. The same to be charged to the Fort Hill Improvement Loan.

On motion of Alderman White, an order was passed for an abatement of a nuisance in Madison street.

Orders were also passed to meet the jail requisition, amounting for the month to $3418 76, and to pay bills for services rendered by persons connected with the City Government.

Resolves and orders were read once for the laying out of Halleck street, Mindora street, Prentiss street, and a portion of Fifth street.

An order with an estimate of damages occasioned by the Atlantic avenue, was read once, the total amount being $962,758 95. The principal items in this estimate are Rowe's Wharf Co., $100,000; Central Wharf, $66,971 20; India Wharf, $83,086; Long Wharf, $67,890; T Wharf, $66,692 50; Mercantile Wharf, $46,751 25; Commercial Wharf, $76,928 28; Lewis Wharf, $182,452 50.

THE BURRILL CLAIM.

Alderman Talbot made an inquiry relative to the report on the Burrill Claim, which he believed was not accepted, and he wished to make such a motion as might be necessary to refer it to the next City Council.

The Mayor stated as the action on the subject, that the report was first referred to the next City Council, then on a reconsideration orders were offered which were rejected, leaving the report with no action thereon. The report had been presented, but had not been accepted.

Alderman Talbot further inquired if it would be necessary to accept the report before referring to the next City Council.

The Mayor replied that it would not; the acceptance may or may not be acted upon.

Alderman Talbot wished further to know whether it would be necessary for it to go to the Common Council.

The Mayor replied that it could go to the Common Council on the motion to refer to the next City Government.

Alderman Talbot said the report was on the table of the Board, and if in order, he would move its reference to the next City Council.

Alderman Bradlee inquired if the Board had not voted once or twice on the reference to the next City Government, and on reconsideration whether it had not failed to pass. He would like to know whether the same motion could be made again?

The Mayor replied that it could not the same day, but it could on another day.

Alderman Bradlee opposed throwing over to their successors the settling of this question. He moved the yeas and nays on the question, which was ordered.

The reference was lost, by a vote of 4 yeas to 8 nays, as follows:

Yeas—Baldwin, Talbot, Van Nostrand, White.

Nays—Bradlee, Fairbanks, Hawes, James, Pratt, Rice, Richards, Seaver.

Alderman Richards moved that the report of the committee be accepted.

Alderman Bradlee said he supposed the acceptance of the report simply discharged the committee, without adopting the views stated in their report.

The Mayor remarked that that would be the effect of the motion to accept.

The acceptance of the report was carried and the committee discharged.

On motion of Alderman Pratt, the petition of George Tyler Bigelow and others for further accommodations for the Registry of Deeds, was taken from the table and referred to the next Board of Aldermen.

Adjourned to Thursday next, 12 o'clock.

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In the report of Alderman Bradlee's remarks on the Burrill claim, in the Board on Wednesday last, there were some omissions and errors. Accordingly his address is published in full below:

*Mr. Mayor and Gentlemen:* I feel it my duty to occupy a portion of your time by calling your attention to certain facts in regard to the Burrill claim—with which you may be already familiar—but which I think it will be well for us to carefully review at this important point in the history of the case. Let us first consider the contract or agreement between F. W. Lincoln, Jr., Mayor, and Charles Burrill, bearing date May 31, 1864. What was its intent and meaning, and what did the city expect to obtain under its provisions?

Mr. Burrill says credits of men already in the navy, but Mr. Lincoln and Messrs. Norcross and Nash testify that no such project was intimated, and that it was distinctly stated that full men were to be furnished for the actual service of the United States, and that they were men who had come from within the rebel lines, and were then in camp at Rock Island and other places in the West.

I submit that the weight of testimony is in favor of the latter interpretation; and besides, there is strong, to my mind conclusive corroborative evidence, in the knowledge the Mayor and Committee, and I presume also Mr. Burrill, had of the powers of the city under the existing laws.

By an act of the Massachusetts Legislature, approved March 17, 1863, cities and towns were prohibited from raising or expending money for paying bounties to volunteers. Before this cities and towns had no legal right to assess a tax to meet such expenditure, and it was only through the great desire to fill the armies and by general consent that it had been done, but the great and unavoidable competition forced the rates to such extravagant amounts that it became necessary to pass the act referred to, and thereby put a decided stop to the business. A year later, by an act passed March 18, 1864, cities and towns were authorized to raise money by taxation or otherwise, and apply the same, under direction of the Selectmen or Mayor and Aldermen or City Council, for the purpose of procuring its proportion of the quota of volunteers in the military service called for from the Commonwealth, under the orders of the President of the United States, dated October 17, 1863, and February 1, 1864; *provided*, that the amount of money so raised and applied shall not exceed the sum of one hundred and twenty five dollars for each volunteer enlisted in said service after the passage of this act, as a part of the quota of said town or city under said orders of the President.

By a subsequent act, approved March 28, 1864, the authority to pay was extended so as to apply to any call or order of the President issued after March 1, 1864, and before March 1, 1865. I desire to call your especial attention to the point that under the laws the city had no authority to pay for men already in the service, but only for men enlisted after March, 1864.

Under the statutes, the following order was passed by the City Council:

Ordered, That the treasurer be authorized to borrow, under the direction of the Committee on Finance, the sum of $200,500; the same to be appropriated for the payment, under the direction of His Honor the Mayor, of $125 to each volunteer enlisted and mustered in and after the thirtieth day of March, 1864, into the service of the United States, as part of the quota of the City of Boston, in accordance with the act of the Legislature approved March 18, 1864, entitled an act to authorize towns and cities to raise money for recruiting purposes; and also an act in addition to an act approved March 28, 1864.

By this it will be seen that the powers of the City Government were clearly defined and understood, and with that knowledge it seems to me absurd to ask us for one moment to believe that the Mayor would make or the Committee of Aldermen sanction a contract or agreement contrary to the laws; neither do I think it possible that Mr. Burrill would proceed in so important a matter without posting himself upon the legal position; thus the evidence of the Mayor and Committee, supported by the testimony of the laws, effectually, I think, refutes the statement of Mr. Burrill that the original understanding was regarding credits of men already in the service.

Next, Mr. Burrill claims to have visited Washington and influenced legislation—against formidable opposition—so that naval credits could be allowed, when in fact the principle of naval credits to towns and wards of towns was established by Congress by act approved February 24, 1864, three months before the negotiations between the city and Mr. Burrill. I will admit that this act applied only to men enlisted in the Navy or Marine Corps after said date, but the principle was there established of crediting naval enlistments to the towns or wards of towns in which such enlisted men were or might be enrolled. Next, on the 25th of May, 1864—before the date of the negotiation aforesaid—Mr. Hale introduced in the Senate an act, one of the sections of which was, "That all enlistments into the Naval service or Marine Corps during the present war, shall be credited to the appriate township, precinct or district, in the same manner as enlistments for the Army." This passed Congress, as the report of the proceedings shows, without opposition, and received the approval of the President on the first of July.

A subsequent act, which was approved July 4 1864, contained the following section: "All persons in the naval service of the United States who have entered the service during the present rebellion," who have not been credited to the quota of any town, district, ward or State by reason of their being in the service and not enrolled prior to Feb. 24, 1864, are to be enrolled and credited to the quotas of the town, ward, district or State in which they respectively reside."

The records show that while there was a debate and considerable opposition to other sections of this act, the section quoted was not attacked, and a Committee of Conference to whom the bill was referred simply reported an addition to said section, that satisfactory proof of residence should be made to the Secretary of War; and the bill as reported was passed without further opposition.

Such are the recorded facts which I present to controvert the evidence of Mr. Burrill in regard to the opposition to the measure, and the extraordinary influences required to insure its adoption.

Aside from these considerations, there is the claim for labor performed and persons employed for the benefit of the city. When it is stated that so many were employed, is it not a singular and suggestive fact that they are not produced to corroborate the testimony of Mr. Burrill? And there is another peculiarity of the case, to which I wish to direct your attention, that so many of the men who, according

to Mr. Burrill's evidence, were concerned in it, or are affected by the testimony, are dead;—take, for instance, President Lincoln, Governor Andrew, Henry J. Raymond, and Mr. Roberts, who seems to have been an important agent in the transaction, and I therefore quote from the statement of the City Solicitor, as printed in City Document No. 98—pages 273 and 274—where he says:

"What is strange, and what must strike every member of this committee as strange, is, that of all the men that Mr. Burrill dealt with in this connection, in all the Herculean labors that he performed, in the disbursement of $156,000, scattered far and wide, he cannot bring a single man to say that he ever did any part of the work, or that he ever paid or received a dollar of the money. And when we inquire for any agent or assistant—it has been so from the beginning—it is somebody that is dead: it is somebody that cannot be found; so that you cannot verify the statement at all. And the man changes, if you undertake to follow him, into as many shapes as Mr. Roberts has. When we began with Mr. Roberts—I read an extract the other day from Mr. Burrill's testimony in relation to him—he was the man who superintended the hunting up of the men in the streets here, and found where the sailors lived. A man who is moving Congress, who lived in Illinois; receiving $50,000 for services in Congress, comes to Boston, a strange place, to superintend a half dozen men to hunt up individual sailors! Then we ask him, 'Who is this Mr. Roberts?' He says, 'I don't know.' 'What was his Christian name?' 'I cannot tell, I think it was William J., but I am not certain about that.' 'What was his business?' 'Out of business, I believe.' Now, here is this Mr. Roberts, a man that was paid $50,000; a man that he had employed before—years before, as he testifies today—in connection with other transactions, and yet he never could tell us who he was, and we never could find out, until we were told here the other day that he lived in Illinois, and was dead. We never could find who Mr. Roberts was, where he came from, nor any trace of him whatever.

And just so you find this all the way through. There is not a living man that has come to us here; Mr. Burrill does not give us the name of a man that can be got at, to whom we can go and inquire—who says he received one dollar of this money, or performed any of these great labors he says were performed, with the exception of the copying of the list at the navy yard; he brings the man here who did that. There is no question but that list was copied. How much labor, or how long it took, I don't care. In New York, where were 25,000 names to be copied, the report says eight days were required for the labor.

This is the difficulty all the way through; you can't put your finger on anything to corroborate what Mr. Burrill says to you. I say, if this claim was a fair one, with all the men that he has had to do with, and with these years that he has been called upon to produce some evidence to support his statement, if it was true, he would not come here without anything in the world to corroborate it."

Weight has been given by some to the statement that the city used the "Burrill List" of names, so called. The evidence of Messrs. Lincoln, Norcross and Nash is that Mr. Sanger, acting for Burrill, agreed that the use of the list should not prejudice the city in any manner as regards any claim of Mr. Burrill for compensation.

Mr. Sanger by his testimony does not remember this agreement; but while we can understand that a man might forget circumstances occurring so long ago, we cannot believe that three men could testify to an agreement of such importance, so clearly remembered by them, if it was not a fact, unless upon the basis of collusion with intent to misrepresent the case; a conclusion which the well known character of the parties would not allow us to entertain for a moment; and I am informed also that Mr. Healy was present at the interview, and confirms the statement of the members of the Government.

Even if Mr. Burrill did copy or cause to be copied a list of names, if he was working with an intent, as I believe he was, contrary to the letter and spirit of any negotiations he may have had with the city to provide men for the quota, can he rightly come here and ask for compensation for such services, or can we honorably or justly comply with any such demand? I think not; and to sustain this view I quote again from the statement of the City Solicitor, City Doc. 98, page 279.

"The truth of the case, I submit, was this: It was known that those naval credits were likely to be allowed ultimately; Congress had shown a disposition on the 24th of February to allow them, as it allowed all naval enlistments after that date. The recruiting officers in New York understood that they were to be allowed, as they say in their report, they calculated on answering their quota in that way, according to the report of the committee which I read the other day. Now, then, it was certain, or at any rate in a very high degree probable, that these credits would be allowed. I must say that it looks to me as though Mr. Burrill, foreseeing that these credits were likely to be allowed, undertook to hold out the Rock Island men as decoys to get a contract which should appear to Mr. Lincoln to be putting men into the service, and answering the requirements of the law in filling the quota of the City of Boston, with the intent of complying with the terms of the contract by procuring these naval credits when Congress should put it in his power to do so. So it looks to me. I can't see it in any other light. If you can look upon it in a light more favorable to Mr. Burrill, I shall be glad of it. That is the appearance to me.

If this is so, I don't care what services Mr. Burrill rendered; if he rendered one hundred times more service than he pretends he rendered; if he took that way, with that intent, he cannot be entitled to compensation under any circumstances."

This statement of the Solicitor is of great importance, being the deliberate opinion of one who has been for many years chosen as the adviser of the city on all legal points and questions difficult to solve, a man of large experience in sifting the wheat from the chaff in testimony, and, on this claim, his opinion doubly valuable from his connection with and thorough knowledge of the case from its early stages. I ask you to pause and consider before you register your decision; the argument that has been brought up, that it is better to pay something in order to have the matter finished and out of the way, is not sound; we are here as guardians of the public treasury and trustees of the people's money, and have no right to expend it to rid ourselves or our successors of annyance and trouble, but only to pay such claims as commend themselves to our judgment as legal and equitable, and I hope our action will be the rejection of the order to pay, as by such a course we shall not only, in my belief, deal justly with the matter now under consideration, but establish a precedent that will save the city from such ill-founded claims in the future.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## DECEMBER 30, 1869.

An adjourned meeting of the Board of Aldermen was held at noon today, Mayor Shurtleff presiding.

PETITIONS PRESENTED AND REFERRED.

John Shea, for apportionment of his Federal street betterments into three parts. Referred to the Committee on Streets.

Chickering & Sons and others, for a cross-walk on Camden street, west of Tremont street. Referred to the Committee on Paving, with full powers.

UNFINISHED BUSINESS.

The following orders were severally read a second time and passed:

Order estimating the damages occasioned by the laying out of Atlantic avenue from Broad street at Rowe's wharf, to Commercial street at Eastern avenue, amounting in the aggregate to $962,758 95.

Order to lay out Halleck street between Station and Ward streets, at no expense to the city.

Order to lay out Mindoro street between Station and Prentiss streets, at no expense to the city.

Order to lay out Prentiss street, between Tremont and Parker streets, at no expense to the city.

Order to lay out Fifth street, between G and H streets, at no expense to the city.

SEMI-ANNUAL REPORT OF THE CITY SOLICITOR.

The third semi-annual report of the City Solicitor to the City Council, was presented to the Board, showing the suits pending on the 28th June last, and those commenced since that date, in which the City of Boston is a party, with the names of the adverse parties, the alleged causes of action, the dates of the commencement of the actions, the courts or tribunals in which the same are pending, and the disposition made of such cases as have been disposed of since the 28th of June.

The City Solicitor states that several bills in equity have been filed against this city in the Supreme Judicial Court, praying for the assessment of damages for the taking of lands in the Church Street District, under chapter 308 of the acts of 1867. As there can be but one suit to determine all matters in controversy between the former owners of these lands and the city, growing out of the said taking, these various claims must be brought together under one of the bills, and the bills will be dismissed. No order of the Court having been made on either of the bills, no more specific statement can be made in regard to them.

In the cases between Thomas Richardson and the city of Boston, and the suits originally instituted by the city of Roxbury for the collection of sewerage bills mentioned in former reports, nothing has occurred worthy of notice.

Reference is made to a hearing before Commissioners in relation to the apportioning of expenses for the purchase of the franchise of the bridge over Charles river between Cambridge and Brookline, in which this city is made a party by statute, but as it is believed it would be manifestly unjust to assess any portion upon the county of Suffolk, with which it has no connection, the solicitor does not deem it probable that the commissioners will include this county in the counties and municipalities upon which the duties created by the statute are to be imposed.

Laid on the table and ordered to be printed.

REPORTS OF COMMITTEES.

Alderman James, from the Committee on Public Lands, to whom was referred the petition of Wm. A. Guild for modification of conditions of sale of land on Fourth street, made a report recommending the passage of the accompanying order:

Ordered, That the Superintendent of Public Lands be directed to cancel the bond and agreement passed between the city of Boston and Wm. A. Guild, dated April 1, 1869, for land on Fourth street, and to issue new agreements and bonds of the same date to Wm. A. Guild and Alvah Littlefield so as to conform to the division of the land recently made by said parties.

The report was accepted, and the order was read twice and passed.

Alderman James, from the same Committee, on the petition of Alexander Campbell and others, for a plank walk on Newton street, east of Harrison avenue, made a report recommending the passage of the accompanying order:

Ordered, That the Superintendent of Public Buildings be directed to cause a plank walk to be laid and a railing erected in front of vacant land belonging to the city on Newton street, east of Harrison avenue, the expense thereof to be charged to the appropriation for Public Lands.

The report was accepted, and the order was read twice and passed.

Alderman Richards, from the Committee on Fire Department, to whom was referred the remonstrance of the Bay State Iron Company and others against the contemplated location of Engine Co. No. 15 in Hose House No. 9 on B street, recommended that the matter be referred to the early attention of the next Board of Aldermen. Read and accepted.

Alderman Richards, from the same Committee, to whom was referred the remonstrance of A. Firth & Co, and others, against the removal of Union Hose Company No. 2, from Hudson street to the new house on East street, made a report unanimously recommending that the petitioners have leave to withdraw. Accepted.

Alderman Richards, in explanation, stated that it was the policy of the Chief Engineer and of the Committee on the Fire Department, as far as possible, to bring together in the same house the engine and Hose carriages which work together.

Alderman Richards, from the Joint Standing Committee on Public Buildings, to whom was referred the petition of Company F, First Regiment, made a report that they have granted the petitioners the use of the room adjoining their armory, until in the opinion of the committee it may be wanted for other purposes. They therefore recommend that so much of the petition as relates to fitting up the armory be referred to the Committee on Armories.

Read and accepted.

Alderman Bradlee, from the Committee on Ordinances, who were requested to prepare and report to the City Council an ordinance to establish a Board of Directors for the East Boston Ferries; also to ascertain whether any further legislation is needed to enable the city to maintain and operate the ferries between East Boston and the city proper, made a report that in view of the early dissolution of the present government, they do not consider it expedient to pass upon such an important matter as the establishment of a Board of Directors for the East Boston Ferries, and they therefore recommend that it be referred to the next City Council.

In regard to the necessity for further legislation, the committee have received and transmit herewith the opinion of the City Solicitor, to the effect that the existing provisions of law will enable the City Government to manage the ferry when it comes into the possession of the city, as it shall adjudge the public interest to require, and that no further legislation is needed.

Read and accepted.

Alderman Talbot, from the Committee on Streets reported no action necessary on sundry notices of intention to build. Accepted.

Alderman Talbot also reported an order for the assessment of betterments for the widening of Tremont street. The Committee were not unanimous in regard to the extent of the street upon which to assess betterments. While some were in favor of assessing the betterments from Court street to Chester avenue, one of them believed it should not be further than from West street to Dover street.

The order was read once and laid over.

ORDERS PASSED.

On motion of Alderman Talbot.

Orders for the apportionment of betterments assessed for the widening of Devonshire street, into three parts, upon Thomas H. Russell, trustee, F. O. Prince and N. T. Dow, trustees, W. W. Tucker and others, trustees, James H. Beal, heirs of Charles Merriam, Maria Hall, T. H. Carter, Edward Bangs and others, trustees, Geo. P. Upham, John Simmons.

Ordered, That there be paid to the Rev. P. F. Lyndon, attorney for the Rt. Rev. Jno. J. Williams, Bishop of Boston, twenty thousand and twenty-nine dollars for land taken from and all damage occasioned to St. Stephen's Church on Hanover street by the widening of said street by a resolve approved Oct. 15th, 1869, upon his giving to the city a deed or release for the same and an acquittance and discharge satisfactory to the City Solicitor for all damages, costs, and expenses in consequence of said taking.

This order being on its second reading, Alderman Pratt called attention to the disparity between the payments for this church, which cost a few years ago but $27,000, and the payment for the Methodist church, which cost $80,000 in gold, and for which but $25,000 was to be paid in damages.

Alderman Talbot replied that the payments for damages in each case was on the principle that the churches were to be moved back.. It was believed that the awards were about right. There might sometimes mistakes be made, because it frequently happened that parties refuse to state how much they think they are entitled to, and it was difficult often to ascertain. He believed the attention of Alderman Pratt was called to this case, and that he was satisfied of its correctness.

Alderman Pratt said it was a mistake as to his having assented to the amount, or that the Trustees of the Methodist Church were satisfied with the award. He objected to the comparative amount in the two cases named. He believed there was a mistake in regard to the land in the rear, upon which to remove the Methodist Church, and that the removal could not be made, except with the destruction of a primary school-house or other buildings. The trustees of the church might be satisfied should the city assume the cost of removal, but they did not think the award was sufficient for that purpose. The Committee has been rather unfortunate in the employment of the party by whom the negotiations were made.

Alderman Baldwin thought the Alderman must have been incorrect in regard to the cost of the Methodist church, which he believed was $40,000 to the present proprietors.

Alderman Pratt said it was true that it was bought at that low price, but that was much below its value; the church was one of the finest in the city, and would cost not less than $150,000 if built at this time.

Alderman Talbot stated that last year when the matter was first talked of in widening the street, the parties came to the committee to ascertain what would be allowed, and with reference to contracts to take the church down and remove it to the South End. That the awards were relatively correct, he did not doubt, and no injustice was done to either. Alderman Talbot further said, that there was no call for a religious society at this place. That the first society were obliged to abandon the place, and that the present one would soon be obliged to follow.

Alderman Pratt said the Alderman was entirely at fault. The first church failed of success for lack of zeal. The Methodist Episcopal Society occupying the site supply this want, and by their zealous industry a flourishing society, in the most prosperous financial condition, successfully occupies this site, which they do not entertain the most remote idea of abandoning.

Alderman Talbot further stated that no person had made any complaints to the committee in relation to the award to the Methodist Church, and they supposed it was satisfactory.

Alderman Pratt said one of the Trustees had come to him in relation to the matter. If the city will assume the cost of the removal, they are willing to agree to it.

The order was read again and passed.

Ordered, That there be paid to Nathaniel Whiting one hundred and sixty-nine dollars and fifty cents, for one-half the portion of Lane place, so called, taken at the time of widening and grading Oliver street, from a person or persons unknown, upon his giving to the city a deed or release for the same, and an acquittance and discharge satisfactory to the City Solicitor, for all damages, costs and expenses in consequence of said taking and grading.

Ordered, Also that the order passed December 13, 1869, be rescinded, the expense to be charged to the Oliver Street Loan.

Ordered, That there be paid to Christopher A. Connor, James Dennie, and Edward F. Robinson, the sum of $2500 each, for services rendered the Committee on Laying Out and Widening Streets during the present municipal year; one quarter of the above amounts to be chargeable to the appropriation for laying out and widening streets; one quarter to the Fort Hill Improvement Loan; one quarter to the Atlantic Avenue Loan, and one quarter to the First Hanover Street Loan.

Ordered, That Weston street be laid out from Tremont street to Windsor street, at no expense to the city.

Ordered, That Windsor street be laid out from Ruggles street to Weston street, at no expense to the city.

In relation to some of these new streets west of Tremont street, Alderman Talbot stated that the committee had been engaged in relation to them half the year; all but two or three of the abutters had agreed to give their land. These were as well able to do so as any of the rest, and as the streets were in bad condition, they thought it best that they should be accepted and take the chances.

On motion of Alderman Seaver,

Ordered, That the Chief of Police be directed to notify John W. Dodge to remove the flags from No. 26 Water street forthwith—if not removed within twenty-four hours, the Chief of Police be and is hereby authorized to make complaints according to law.

On motion of Alderman Pratt,

Ordered, That there be allowed and paid to the Social Law Library under the provisions of the General Statutes, chap. 33, section 10, and chap. 215 of the acts of 1863, the sum of $1000; and that the same be charged to the Appropriation for the County of Suffolk.

On motion of Alderman Richards.

Ordered, That the Chief Engineer be and he is hereby directed to remove Engine No. 7 from Purchase street and Hose Company No. 2 from Hudson street to the new house in East street.

Alderman Richards stated further in relation to the same matter on which he had spoken before, that he had ascertained from the Chief that Engine No. 7 had been called out within the year to 38 alarms, between Beach street and State street, while it had been called to 24 only between Beach and Dover streets; Hose Co. No. 2 had been called to 19 alarms between Beach and State streets, and to 13 between Beach and Dover streets. These facts showed that more work was required north of East street than the other way.

Adjourned to Saturday at 12 o'clock.

# CITY OF BOSTON.

## Proceedings of the Common Council,

## DECEMBER 30, 1869.

The regular weekly meeting of the Common Council was held this evening, commencing at 5 o'clock, Wm. G. Harris, the President, in the chair

PAPERS FROM THE BOARD OF ALDERMEN.

The following reports were accepted in concurrence:

Report referring the petition of J. E. & N. Brown and others, to be compensated for damages to their property on the Church Street District, to the next City Council.

Annual report of the Committee on Bathing.

Report on the petition of Charles Burrill for compensation for services in filling the quota of Boston during the late civil war. Printed City Doc. No. 98. 1869.

Report, reference to the next City Council, on the subject of legislation in relation to the management of the East Boston ferries

The following orders and ordinance were severally read twice and passed:

Order bills to pay January draft.

Ordinance for the adoption of the Revised Ordinances of the city of Boston.

Order that 300 copies of the new edition of the Laws and Ordinances be placed on sale at a price sufficient to cover the cost of the same.

Order to transfer $8000 from the Reserved Fund to the appropriation for Public Buildings.

Order for the issue of new agreements and bonds to William A. Guild and Alvah Littlefield for land on Fourth street.

Order to pay Christopher A. Connor, James Dennie and Edward F. Robinson, for services to the Committee on Laying Out and Widening Streets.

EXTENSION OF WASHINGTON STREET.

The resolves and orders to extend Washington street from Cornhill to Haymarket square, and Portland street from Hanover street to Washington street, extended, and for a loan of fourteen hundred thousand dollars to be appropriated therefor. (Printed City Doc. No. 112, 1869), were taken up and considered, as unfinished business.

There being some hesitation to speak on the subject, and the question being about to be put,

Mr. Snow of Ward Eleven said he supposed something was to be said on this subject. There was a plan suggested, at the last meeting, for the extension of Tremont street, and other plans had been proposed which were feasible in relieving crowded streets. Some of these plans might be much better than that under consideration, and were worthy of attention. By this plan there would be a necessity, at some future time, for the widening of Washington and Portland streets. Further than this, there were plans which had been carried out, the effect of which we had not yet realized. There might be a necessity for the widening of other streets growing out of what had been done; there would be a necessity for the extension of Devonshire street.

Under the circumstances he thought this was not the best time for the making of an improvement of this expensive character. Besides all this, there were doubts about the constitutionality of the betterment law, suits having been brought to test it, the extensive improvements which have been carried out have increased the city debt $5,000,000 during the present year, and the Council was called upon to vote $5,000,000 to $6,000,000 in the last two hours of its session.

To carry out such improvements in streets, he thought they wanted a more permanent body than the yearly Committee on Streets of the Board of Aldermen. The Council had tried to obtain a permanent Board of Street Commissioners, but the Board of Aldermen, as in other instances, had resisted these desirable changes in the City Charter.

Fortunately there were some excellent members of the Board of Aldermen, who would remain on the Board another year, and who had proved to be very useful to the city. But such men would not remain there for ever. He would not vote for one of these projects until there was a permanent body to look over the entire field, in their connection with each other and in reference to the best interest of the city. There were the Hanover street improvement, the Sudbury street widening, the extension of Devonshire street and of Tremont street, and perhaps the cutting off a strip of the Common—these should be considered, and a permanent body chosen to determine upon the best plan and see that it is properly carried out. For these reasons, and others which might be given, he should vote against these orders at this time.

Mr. Judson of Ward Fourteen said he differed very widely with the gentleman who had just spoken. No more important measure had been before the City Council the present year. This project had been talked over for years, and was thoroughly understood. The gentleman had spoken of the great expenditures of the city, which was all very true, but that should not prevent carrying out an important project like this, which had been demanded for years. If the gentleman had been troubled as he had been, in treading the crooked streets to get down to the railroad depots, he would be in favor of a thoroughfare which should answer for generations.

Mr. Judson hoped this measure would be passed, and they would never regret it. The city was burdened with a large debt, but it was not bankrupt. It was one of the richest cities in the world, and was able to incur such expenditures. The extension of the street was needed for the growing business of the city, then why should it be postponed? He trusted they would see the necessity and importance of the passage of the orders, and would vote for them.

Mr. Denny of Ward Ten said he had tried hard to see the objections which had been made against the extension of Washington street, on account of the large debt of the city. Such objections did have some weight, but not to prevent the carrying out of such an improvement. This was one of the greatest and most important street improvements ever brought to the attention of the City Council. It was said that if other proposed improvements should be carried out, it might prevent the necessity of this improvement. Let them be carried out, and this will still be necessary. Washington street runs against a blank wall at Cornhill as well as Devonshire street runs against the Old State House. Washington street must be the principal street from the Highlands to Charlestown. Tremont street is not the straightest street, but Washington street is the main avenue now and will be in future. The proposed extension is generally acceptable to the people, and the newspapers and the community back up the project.

It had been objected that the betterment laws were to be contested. Suppose they were not sustained, were we to stop street improvements in consequence? He would not admit it for one minute. Unless we are determined to stand still, we must go forward. The fact that we have a heavy city debt and should pause before we increase it, should have great weight. But the question was whether this measure was not of sufficient importance to justify the expenditure required. Are we in danger of bankruptcy by a small increase of the a debt?

This was one of the measures of the greatest importance either in the past or likely to be in the future, in relation to this city. In regard to what had been said of the appointment of commissioners, he agreed with the gentleman, and he hoped it would be followed up, however negligent the present Board of Aldermen might be. He believed we should have a Board of Street Commissioners, who will carry out such projects more economically than a Committee on Streets can do. There was a large amount of business at a standstill on account of the delay in this matter, and it should be passed without delay.

Mr. Nelson of Ward Nine referred to the statement of the gentleman from Ward Eleven in regard to the cost of the measures now before the council. Instead of being $5,000,000 to $6,000,000, he could not make out more than $4,300,000.

Mr. Snow said he happened to be aware that there were other projects for the expenditure of money to be considered. The Eliot street widening would probably come up tonight.

Mr. Nelson said that with the Eliot street widening there would not be more than $4,600,000. His reasons for voting for the extension were almost as much of a negative as a positive character. The alternative routes were altogether objectionable. The widening of Sudbury and Tremont streets would necessitate encroachment upon the Common, which would not be permitted by the people at present; and the extension of Devonshire street by cutting off the Old State House, the people would not sanction. There were many reasons in favor of this extension, and the objections to it were almost as much in its favor as against it.

Mr. Keith of Ward Fifteen said he regretted that so important measures should come up at the close of the session. But it was not the fault of the Council. If there was any fault, it was in that branch which engrosses almost the entire business of the city government, and prevents an increase of its numbers to share in that business. In the experience of the year on this subject, and in the light thrown upon it by the other branch, they were called upon not to shirk responsibility, but to vote yea or nay on the passage of the orders. When it first came up, it was to him a great doubt. It had been petitioned for by some of the largest tax payers of the city, representing $75,000,000, and he had yet to learn of the first remonstrance against it.

Such a fact was of great weight. The great business firms of this city are in favor of a great outlay in the improvement of the thoroughfares. In providing for the extension of Washington street, he believed the route by Portland street was the least expensive and the best. But the Council had no power to inaugurate improvements, and must take what are proposed for their action, to pass or to reject them. No one could suppose if this project is carried out, that it will stop at Portland street. The betterments in that street will pay for the widening. The gentleman from Ward Eleven had expressed doubts about the betterment law. There could be no doubt, whatever, about the validity of the law where estates are bettered. There may be some doubt as to the extent to which the principle may be applied, but he had never had any doubt as to the constitutionality of the law.

The extension of Tremont street as proposed, would not make a direct route, nor would it bring the desired relief. The plan of the gentleman from Ward Four he had looked at, and thought much less desirable than any other. It would give a very steep grade, and make a worse angle. It would also be very expensive in grade damages. But this plan was not before the Council. It was desirable that the extension of Washington street should be carried out, because it holds the improvement of Hanover street in abeyance. The question was, shall we extend in the form asked for, or reject it?

The extension of Washington street was the only opening which promises an avenue and gives the city the best facilities for its growing business. To do business we must go forward, or be crippled and business be driven to other cities. The argument of the gentleman from Ward Eleven defeats itself. He opposes the measure because we have not a Board of Street Commissioners, and then admits that we have an able Committe on Streets. That Committee is familiar with the subject, but if a Commission on Streets should be organized, the measure would be likely to be defective from being in the hands of new men. Measures must be judged by their merits. We have been in the habit of deferring to our Committees, and this has been referred back to the Council for its action. Seeing no other relief than this, and believing it to be of easier grade and less expense than any other, he should vote for it.

Mr. Snow wished to correct two statements. This project came to the Council a week ago, and had not been before the Committee on Streets of the Council. He did congratulate the city on retaining in the other branch the able chairman of the Committee on Streets. But this gentleman did not vote for this measure nor advocate it. This project had not been before the Council, and he did not believe in expending a million and a half of dollars without considering it.

Mr. Denny said the matter was not referred to the Committee on Streets of the Council, because the Chairman objected to the delay, and remarked that it was unnecessary, for all of the members of the Council must be familiar with it and the Committee could give them no more light.

Mr. Flynn of Ward Seven said the subject was once before the Committee, who recommended that it be referred back to the Board to ascertain the amount of betterments which could be obtained.

Mr. Richards of Ward Eight said the subject was before the Committee months ago, on a request for the opinion of the Council. They reported inexpedient to give an opinion until the action of the Board was taken in the extension of the street.

Mr. Wadsworth of Ward Four said he believed the heavy business firms would be much better accommodated by the plan proposed by him than by this project. If Sudbury street should be widened, the light travel would take that route to Tremont street, and with the extension of Devonshire street there would be a level route for the heavy travel all the way to Roxbury. By these means Washington street, instead of being glutted, would be relieved. Washington street has as much travel now as can be accommodated. The public would be much better accommodated, and business would be better accommodated, by his plan, and therefore he should vote against this plan.

Mr. Rich of Ward Fourteen moved that the whole subject be referred to the next City Council.

The Chair stated that a motion similar to this was lost at the last meeting of the Council, and this motion would not be in order.

Mr. Rich stated that business had intervened since that motion was lost.

The Chair ruled that the motion was out of order.

The question was taken, and the first order was passed by a vote of 39 to 21, as follows:

Yeas—Messrs. Batchelder, Belknap, Butler, A. F. Cole, M. J. Cole, Crowley, Daniels, Davis, Denney, Dinsmore, Flanders, Flynn, Gay, Going, Hall, Harris, Hobbs, Hopkins, Ingalls, Jacobs, Jenks, Johnston, Judson, Keany, Keith, Kingsbury, Leighton, Lucas, Mullane, Nelson, Osborn, Pearson, Pote, Ryan, Talbot, Wells, Wilkins, Woolley, Young—39.

Nays—Messrs. Bond, Braman, Conant, Doherty, Emerson, Frost, Gray, Learnard, Malone, Noyes, Pickering, Poor, Rich, Richards, Rogers, Snow, Squires, Tucker, Vannevar, Wadsworth, Woods—21.

Before the vote was declared Mr. Crowley changed his vote from No to Yes, making it a two-thirds vote; and Mr. Rich changed his vote from Yes to No, making the vote the same in number as before.

The Chair declared the order to be passed

Mr. Snow rose to a question of order, that it required 40 votes to pass the order.

The Chair ruled that as the order was not a loan or a transfer, it did not require a vote of two-thirds.

Mr. Ingalls of Ward Twelve raised the question whether the taking necessarily involved the expenditure of money.

The Chair stated further that the whole issue would be on the final vote, in appropriating the money.

Mr. Wadsworth raised the question whether in taking land the city is not liable. This takes the land, and, in doing so, cannot parties sue the city and obtain their pay.

Mr. Jenks of Ward Three said, this question was settled in the Burrill Claim, when the Court decided that the city could not make a contract until an appropriation was made.

The Chair stated that the gentleman was right.

Mr. Wadsworth wished to know whether the owner of land taken in this case could not get judgment against the city.

The Chair ruled that as there was no expense involved, the order did not necessarily require a two-thirds vote.

The second order for the extension of Portland street was passed.

The question recurring upon the passage of the last order to borrow the money to pay for the extension of the street, it was lost by a vote of 37 yeas to 22 nays, as follows:

Yeas—Batchelder, Belknap, Butler, A. F. Cole, M. J. Cole, Daniels, Davis, Denney, Dinsmore, Flanders, Flynn, Gay, Going, Harris, Hobbs, Hopkins, Ingalls, Jacobs, Jenks, Johnston, Judson, Keany, Keith, Kingsbury, Leighton, Lucas, Mullane, Nelson, Osborn, Pearson, Pote, Ryan, Talbot, Wells, Wilkins, Woolley, Young—37.

Nays—Bond, Braman, Conant, Crowley, Doherty, Emerson, Frost, Gray, Learnard, Malone, Noyes, Pickering, Poor, Rich, Richards, Rogers, Snow, Squires, Tucker, Vannevar, Wadsworth, Woods—22.

Mr. Nelson of Ward Nine asked the position of the questions before the Council, whether the orders to take the land to extend the streets had not been passed.

The Chair stated that the orders for taking land for the extension of the streets had passed, and the order for borrowing the money had been rejected.

Mr. Ingalls moved a reconsideration of the order to extend the streets, to save the Council from the anomalous position of voting to take land and refusing to make an appropriation for paying for it. He differed with the Chair in the ruling, but although a friend of the extension, he did not wish the matter to remain as it now is, and he hoped there would be a general consent to reconsideration.

Mr. Judson of Ward Fourteen saw no reason why this should be crammed down their throats. The Council had a perfect right to vote to extend the street, and to be asked to take it back be thought was an insult. He hoped, for their future character, that they would not take back what they had done, and eat their own words.

Mr. Denny of Ward Ten said the Council having voted for the extension, those who refused to pay for it should reconsider their action. They were the persons who have placed the Council in the anomalous position, and they should vote to pay the debts we owe.

Mr. Noyes of Ward Five moved a reference of the subject to the next City Government

The Chair ruled that this motion could not be entertained.

Mr. Jenks of Ward Three moved that the motion be laid on the table.

The motion was declared to be carried.

A doubt was raised and the question was again stated.

Mr Snow inquired if the motion would lay the whole subject on the table, should it prevail.

The Chair so ruled.

The motion prevailed by a vote of 28 to 26.

THE SUFFOLK STREET DISTRICT.

The report and orders in relation to Suffolk street District, printed City Doc. No. 105, 1869, for taking certain parcels of land in said district under the act of the General Court, as in said document described; and for a loan of $500,000 to be applied therefor, were taken up.

Mr. Denny stated that the subject coming up at this late day, when few members were prepared to vote on it, he would move its reference to the next City Government. Carried.

NEW LUNATIC HOSPITAL.

Mr. Denny of Ward Ten, in the chair, the order to approve the plans and estimates for a new Insane Hospital, submitted to the City Council by the Board of Directors of Public Institutions, Oct. 4, 1867, was considered.

Mr. Rich of Ward Fourteen inquired if the order had had its first reading.

The chair stated that it had.

Mr. Rich said he had been informed by the gentleman who offered the order, that it had not had its first reading.

Mr Snow stated that the order was first offered as a substitute for the motion before the Council, and was then ruled out. It was then offered as an independent order. He felt that he had been beguiled on this subject. The plans and estimates passed the City Council in 1867, were vetoed, and the veto was sustained. After that, nothing more was heard of them until the present time. In 1868 the Directors of Public Institutions offered what were called the modified plans, and at the close of the year, the Committee feeling satisfied that they could not be passed, moved a reference to the next City Council, of this year. It was felt that the site was not a proper site, and in May last the subject was referred to the Committee to ascertain whether a more eligible one could be procured, and a report was made on the selection of such a site.

A week ago the gentleman who moved the order under consideration, unwittingly fell into an error. The site at Winthrop had been dropped, but all at once the Winthrop site and plans were moved for the action of the Council. The question on the purchase of the Codman estate for a site would have required a two-thirds vote, but the Winthrop plans could be adopted by a majority vote. The Directors might then go on and expend a half million of dollars. We have now to go back and recall the arguments in favor of the Winthrop site. Some gentlemen had spoken of the palatial residences at the South End. The expenditure for the proposed hospital would purchase twenty-five of these palatial residences on the easterly side of Tremont street.

Mr. Snow referred to the measures taken to obtain a favorable recommendation of the Winthrop site. The members of the Suffolk District Medical Society, before whom the subject was brought, would not report in favor of it, and the subject was taken from them, and he was not aware that the opinions of the Consulting Physicians of the City had ever been asked. He did not believe that half a million dollars would be sufficient to complete such a building as was proposed.

Mr. Ingalls denied that there had been any unfairness in bringing the subject before the Council or that it had been smuggled in, and read the following letter from N. J. Bradlee, the architect, addressed to the President of the Board of Directors, in answer to questions asked of him:

"First, if there is anything in the plans submitted by me that warrants the charge of extravagance, or anything that involves a needless expenditure? Second, requesting me to review the original estimates and see if the building could be erected at the present time for the amount there stated? In reply to the first, it will be perfectly clear to any person acquainted with plans, who will inspect the designs submitted, that no needless expenditure has been added either for utility or ornamentation. In fact many would object to the design as being too plain, both in its exterior and interior finish. In reply to the second question, can say, I have carefully examined the original estimates, and am so well satisfied that they are ample to erect and complete the building as at present contemplated, that I should have no hesitation in contracting to build the same for the amount of my estimate, and would give satisfactory bonds for the fulfilment of the contract.

In making the original calculations I took great care to estimate largely for each and every item, knowing as I did that the past experience of the city, in the estimates received for its public buildings, had been such that no reliance could be placed upon them; and being desirous, should the hospital be erected, to have this come under rather than over the first estimate cost. And I have no doubt, if the hospital should be erected by an honest Commission, the cost would be at least $50,000 less than my estimate."

Mr. Ingalls, in answer to Mr. Snow, said he had no objection to taking the original plans and estimates, and with the sale of the South Boston hospital and the appropriation already made, the further cost would not be more than $348,000.

Mr. Judson of Ward Fourteen opposed the order and the proposed hospital at Winthrop as unnecessary and needlessly expensive. He did not believe the expenditure was called for.

Mr. Keith of Ward Fifteen said that having been on the Board the last two years, he would exonerate the committee from the charge of having introduced this order to the Council. There was no such motion or subject referred to the committee. They advertised for a site, received proposals, and reported to the City Council. He did not believe in the necessity for this hospital. The State is bound to support the insane poor throughout the State, and if the city did not take care of that class, the State would be obliged to. The Auditor estimates the bare subsistence of the patients in the City Hospital at $5 00 per week, while the State charge in its hospitals is but $3 50 per week. With an investment of half a million of dollars, the cost and interest would make the cost of the support of these insane poor $9 50 instead of $3 50.

If the city did not support these poor, the State would be obliged to, and if it was necessary to build another hospital, it would be in this neighborhood, where the centre of population is. In his judgment it was not economy for the city to build another hospital. The city now supports its own poor, and pays one-third of the expense of those in the State hospitals. The site proposed was wholly unsuitable, surrounded on three sides by water, where not a tree would grow. The gen-

tlemen who were invited to give their opinion as experts, went there in summer, when everything was pleasant. Not a half dozen Boston physicians could be found to favor such a site, and it would be difficult to get water there.

Mr. Keith said, he had no confidence in the opinion of the superintendent of the Taunton Hospital, where a man was brutally murdered, and the superintendant whitewashed the affair. The superintendent should have been tried for manslaughter, instead of having the care of the insane. He believed it would be an unwise measure to pass any order of this kind. The opinion of medical men and of competent men outside of the medical profession, was opposed to the locality, and there was no reason, as he said before, why this city should pay one-third of the expense of the patients in the State hospitals and the whole of our own.

Mr. Ingalls said it came back to the same point at last, that the opponents of the Winthrop site were opposed to the building of a hospital anywhere. The gentleman would send the insane poor to Taunton, where he says they would be in the hands of murderers, and his humanity in so disposing of them had been shown also in allowing the paupers to be exposed to the bleakness of Deer Island without a word of remonstrance against it. So far as related to water, it was to be carried to Deer Island, and the expense would be but little to introduce it to this institution. The recommendation of the Superintendents of Insane Asylums were obtained before there was any controversy on the subject, and one physician, at least, who had signed in favor of the Codman estate, had confessed that he was ashamed of it.

Mr. Keith, in further remarks in reply to Mr. Ingalls, said if he could have had his way he would have had the superintendent at Taunton brought to the Grand Jury and indicted, and he would have the patients protected and not murdered.

Mr. Pickering of Ward Fourteen thought there was force in the objection against bringing such important measures up for action at so late an hour. He thought the expenditure of half a million of dollars of much consequence, but did not believe that the $100,000 appropriated would much more than build the cellar. The taxes of the city were burdensome and the valuation was as high as it would bear. He was not satisfied that there was need of a hospital and thought half a million of dollars could be saved.

Mr. Snow called for a reading of the plans and estimates, the original plans referred to in the order submitted Oct, 4, 1867.

The Chair stated that they were not in the possession of the Council.

Mr. Snow raised a point of order, that the motion for the passage of the order adopting the plans and estimates could not be entertained because the plans and estimates had not been submitted to the Council.

Mr. Pickering moved a reference of the subject to the next City Council.

Mr. Snow wished the ruling of the Chair on his point of order.

The Chair ruled that the point of order was well taken and that the order was not properly before the Council.

REPORTS OF COMMITTEES.

Mr. Osborn of Ward Six, from the Committee on the Reduction of the City Debt, submitted a report as follows:

The following exhibit, made up from the books of the Treasurer and the Auditor of Accounts, presents the indebtedness of the city at the close of business Dec. 29, 1869:

| | | |
|---|---|---|
| At the commencement of the present financial year, May 1, 1869, we find that the consolidated *funded* debt on that date, as will be seen by the Auditor of Accounts' printed report No. 57, p. 187, was | | $16,959,500 91 |
| Since that time loans have been negotiated on various orders of the City Council to the amount of | | 7,500 00 |
| Making total *funded* debt of | | $16,967,000 91 |
| Deducting from this amount all the debt which has become due and been paid this financial year | | 359,500 00 |
| We have left a funded debt, Dec. 29, 1869 | | $16,607,500 91 |
| To which add for loans authorized, but not negotiated | | 6,553,500 00 |
| | | $23,161,000 91 |
| To which is to be added the amount advanced by Treasurer on account of Oliver street | | 272,937 93 |
| Total *funded* and *unfunded* debt, Dec. 29, 1869, of | | $23,433,938 84 |
| This debt the Auditor of Accounts classifies as follows: | | |
| Water debt, (net cost of works) | | $9,481,687 71 |
| City of Boston debt proper | | 11,272,101 13 |
| City of Boston war loans | | 1,915,500 00 |
| Roxbury loans | | 764,650 00 |
| Total as before | | 23,433,938 84 |
| Total debt, Dec. 29, 1869 | | $23,433,938 84 |
| Total debt Dec. 29, 1868 | | 18,128,502 75 |
| Increase of the debt in 1869 | | $5,005,436 09 |
| Which increase of debt is accounted for as follows: | | |
| City of Boston debt proper, Dec. 29, 1869 | $11,272,101 13 | |
| City of Boston debt proper, Dec. 31, 1868 | 6,679,801 20 | |
| Increase of City of Boston debt proper in 1869 | | $4,592,299 93 |
| Water debt, Dec. 29, 1869 | $9,481,687 71 | |
| Water debt, Dec. 31, 1868 | 8,917,702 55 | |
| Increase of water debt in 1869 | | 563,985 16 |
| | | $5,156,285 09 |
| Roxbury loans, Dec. 31, 1868 | $915,499 00 | |
| Roxbury loans, Dec. 29, 1869 | 764,650 00 | |
| Decrease of Roxbury loans in 1869 | | 150,849 00 |
| Net increase of the debt as before stated | | $5,005,436 09 |

The following are the means of paying off the debt:

The books of the Treasurer and Auditor of Accounts show that the means for paying the debt of the city consist of the following items, all of which are by ordinance specially appropriated for that object, viz:

| | |
|---|---|
| Cash balance in the City Treasury May 1, 1869, to the credit of the Committee on the Reduction of the City Debt, and six per cent. currency bonds of the City of Boston held by the Treasurer, belonging to said committee, as stated in the Auditor of Accounts' printed report No. 57, p. 170 | $6,339,757 78 |
| Cash received since that date, being payments made into the City Treasury on bonds and mortgages on public lands | 119,546 41 |
| Cash received from sales and rents of public lands not included in the above item | 2,403 66 |
| Cash received from the annual city tax for 1869, being the amount appropriated by the City Council for this object, as required by ordinance on finance | 577,000 00 |
| | $7,638,707 85 |
| Deduct payments on debt since May 1, 1869 | 359,500 00 |
| | $6,679,207 85 |
| Add bonds and mortgages on public lands, now in the City Treasury, all of which are considered good | 842,606 70 |
| Total means on hand for the redemption of the debt, December 29, 1869. | $7,521,814 55 |

*The debt and means of paying it off:*

| | | |
|---|---|---|
| The consolidated debt of the City, funded and unfunded, December 29, 1869, amounts to | $23,433,938 84 | |
| Less the means on hand for paying the same December 29, 1869 | 7,521,814 55 | |
| Net debt December 29, 1869 | | 15,912,124 29 |

| | | |
|---|---|---|
| The consolidated debt of the City, funded and unfunded, December 31, 1868, amounted to.. | $18,428,502 75 | |
| Less the means on hand for paying the same December 31, 1868..... | 5,618,309 75 | |
| Net debt December 31, 1868..... | | 12,810,193 00 |
| Net increase of the debt during 1869..... | | $3,101,931 29 |

This will show that while the *gross* debt has been increased during the year $5,005,436 09, that the means for its redemption increased during the same time $1,903,504 80; and that the net increase of the debt during 1869 up to the time of making this report is $3,101,931 29.

The report was ordered to be printed and sent up.

WIDENING OF ELIOT STREET.

Mr. Richards of Ward Eight, from the Committee on Streets of the Common Council, to whom were referred the resolve and orders for the widening of Eliot street, on its southerly side, between Washington street and Pleasant street, at an estimated expense of $350,000, made a report, as follows:

The present width of Eliot street, between Pleasant street and Tremont street, is about thirty feet, and between Tremont street and Washington street about thirty-six feet. The proposed plan makes it a uniform width of fifty feet. The large amount of heavy travel which necessarily finds accommodation through the street, has drawn the attention of former Governments to the necessity of widening it, and whenever opportunity has offered, portions of estates about to be improved have been taken for that purpose. In recommending the widening at the corner of Tremont street, the Committee on Streets last year stated that as Eliot street in connection with Knceland street, forms a direct line of communication between the freight depots of the Boston & Providence, Boston & Albany, and Old Colony & Newport Railroads, it would soon become necessary to make the entire street fifty feet wide.

When Columbus avenue is extended to Park square it would seem impossible to avoid the necessity for widening this street, and the increased value of property between Pleasant street and Tremont street will make the expense much greater. The present time is particularly favorable for the improvement, as the leases of several valuable estates have expired and costly buildings are about to be erected.

It is estimated that the assessments for betterment on account of the proposed widening will cover at least half the cost.

The Committee would respectfully recommend that the Council concur in the passage of the resolve and orders.

The report was accepted, and the orders were rejected by a vote of 38 to 20, as follows:

Yeas—Batchelder, Braman, M. J. Cole, Crowley, Daniels, Davis, Emerson, Flynn, Frost, Gray, Hall, Hobbs, Hopkins, Jacobs, Johnston, Keany, Keith, Kingsbury, Leighton, Lucas, Malone, Mullane, Nelson, Noyes, Osborn, Pearson, Pote, Richards, Rogers, Snow, Squires, Talbot, Tucker, Vannevar, Wadsworth, Wilkins, Woolley, Young.

Nays—Belknap, Bond, Butler, M. J. Cole, Conant, Denny, Dinsmore, Doherty, Flanders, Gay, Going, Ingalls, Jenks, Judson, Learnard, Pickering, Poor, Rich, Ryan, Wells, Woods.

A doubt was raised as to the count and the yeas and nays were called over, when the count was declared as 39 to 20, Mr. Dinsmore having declared himself as in favor.

The orders were declared to be rejected.

On motion of Mr. Ingalls, subsequently, a motion to reconsider was carried, and the orders were passed by a vote of 41 yeas to 19 nays. The additional yeas were Belknap and Harris.

REPORT ON THE CHURCH STREET DISTRICT.

Mr. Wadsworth of Ward Four, from the joint special Committee of the Church Street District, made their final report. After reciting all of the orders under which they have acted and the rules adopted by them in settling with the former owners, the committee say—

The work of raising and underpinning the buildings and filling the territory was completed in the early part of September and it was confidently expected by the committee that settlement could be effected before the end of the year, with all those who were disposed to accept the terms upon which reconveyances were made; but such was not the case.

The whole number of estates on this District taken by the city was 353. Of that number 39 have been surrendered, or purchased entire by the city. The number actually reconveyed at the present time is 140. Of those not reconveyed, 96 are ready at the City Solicitor's office, the settlements having been arranged, and the others are in the Commissioner's office, for what reason the Committee are not aware, as they have made satisfactory settlements with most of the representatives of the estates.

Most of the persons who delayed applying for a settlement until recently, are now extremely anxious to get possession of their estates again, as they have expended considerable money in fitting up the buildings, and are unable to get any insurance upon the property until the papers have been passed.

In treating with such a large number of people, holding diverse views in regard to their rights and privileges, it was not to be expected that any rule of proceedings, however liberal, would give satisfaction to all. With few exceptions, however, satisfactory settlements have been made; and these exceptions are mainly the claims of lessees, which have been provided against by taking a personal obligation, from the person who receives the estate, to save the city harmless, if damages should be recovered by the claimants.

The expenditures and receipts on account of the Church Street Improvement have been as follows:

*Payments Made or to be Made on Original Estimates to Complete the Work.*

| | |
|---|---|
| Raising and underpinning the buildings..... | $294,562 77 |
| Raising the grade of the territory.... | 151,567 00 |
| Paving, laying sidewalk and setting edgestones..... | 67,080 04 |
| Sewers and cesspools..... | 8,279 71 |
| Water works ..... | 11,060 59 |
| Repairing buildings and alterations . | 18,676 66 |
| Salaries, including engineering, police and employés..... | 20,580 86 |
| Printing (plans and stationery .... | 678 28 |
| Office expenses, rent, fuel, furniture, &c..... | 966 92 |
| Retaining walls ..... | 9,701 70 |
| Taxes on estates surrendered or purchased..... | 920 64 |
| Incidentals..... | 7060 94 |
| Total..... | $628,136 11 |
| *Payments not in Original Estimates:* | |
| Widening streets..... | $347,920 50 |
| Estates surrendered or purchased for schoolhouse lots on Berlin street and Fayette street, and engine-house and ward room on Church street..... | 117,280 45 |
| Grading and paving Tremont street, setting edgestones, &c..... | 25,249 82 |
| Total..... | $489,458 88 |
| Total payments..... | $1,117,458 88 |
| Total appropriations..... | 1,175,000 00 |
| Balance of appropriations unexpended | $57,541 00 |

RECEIPTS.

| | |
|---|---|
| Amount paid, or to be paid, into the City treasury for estates sold and for old materials, &c..... | $189,658 74 |

In concluding their report the Committee would call the attention of the Government to the statements made by the Commissioners in their report dated October 6, 1869, namely, that the work had at that time so nearly approached completion that the further services of the Board of Commissioners might be dispensed with.

The order offered by the committee upon that statement discharging the Commissioners and authorizing the appointment of one person to take charge of the unfinished work, failed to secure the approval of both branches of the City Council. As the Commissioners are still in office, and as the work required to be done, in making the settlements described by this committee, can be very easily performed by one person in connection with such committee as the next City Council may ap-

point, we feel constrained to renew the recommendation that the Board of Commissioners and those in their employ be discharged as an unnecessary expense, and that all the accounts and records in their office be transferred to the City Hall.

Signed by Aldermen Richards and James and Messrs. Wadsworth, Leighton and Hopkins of the Common Council.

The report was accepted, when Mr. Ingalls offered an order, which was advocated by him, as follows:

Ordered, That the Commissioners on the Church Street District be discharged on the first day of January, 1870, and that his Honor the Mayor be authorized to appoint one suitable person to complete the settlements with the former owners in said district, with authority to exercise all the powers conferred on said Commissioners by the orders of the City Council. The compensation of the person so appointed shall be fixed by any committee on said district appointed by the next City Council, and he may be removed at any time by the Mayor.

Mr. Jenks of Ward Three hoped the order would not pass, unless the committee bring forth the report of the Commissioners which was suppressed by them, and was never printed.

Mr. Hopkins of Ward Ten denied that there was anything material suppressed by the committee.

Mr. Jenks said he had the letter when the charges were originally made, but it was not with him now. That letter stated that a part of the report had been suppressed. Three orders had been introduced into the Council for the discharge of the Commission, and he hoped this would not pass.

Mr. Ingalls said there could be no trouble now about the Committee, who all go out of the city government. There was no longer need of the Commission, and he hoped the order would be passed.

Mr. Frost of Ward Nine hoped the order would not pass in its present shape. He should object to it if the work was to go into new hands, because there was important business to be settled. Should the business go into new hands, it would take some time to become familiar with it

Mr. Hopkins said that in the suppression spoken of the Chairman of the Committee had nothing to do with it. He would ask if all the Commissioners signed the letter referred to.

Mr. Jenks replied that it was signed after consultation with all of them.

The order was passed by a vote of 31 to 13.

Mr. Richards, from the Committee on Streets, reported that the order for the payment of $2750 to George T. Bigelow and others, for land taken in widening Federal street, ought to pass.

The report was accepted and the order was passed.

THE WASHINGTON STREET EXTENSION.

Mr. Harris of Ward Eleven moved a reconsideration of the vote passing the order for the extension of Washington street. He said he did so in hope of relieving the Council from its peculiar position on the subject. There could be no vitality to the order as it is, and there was an inconsistency in the orders as the votes now stand. He hoped, therefore, that the vote would be reconsidered, when the subject might be referred to the next City Council.

Mr. Snow inquired if it was understood that the whole subject was on the table.

The Chair stated as the position of the votes, that the Council voted to take the land for the extension of the street, when a motion was made to reconsider, which was laid on the table.

The subject was taken from the table, when the reconsideration was carried.

Mr. Jenks moved its reference to the next city government, but subsequently withdrew the motion.

Mr. Harris stated that the question should be on passing the order, and on the Chair's expressing embarrassment at the vote necessary to the passage of the order, Mr. Harris further said it should be by a majority vote.

The question was taken on the passage of the orders and they were rejected.

ORDERS PASSED.

On motion of Mr. Snow of Ward Eleven,

Ordered, That the City Messenger be requested to procure the suitable binding of the city documents for the year 1869—one for each member of the Council, and that he be paid therefor $150, to be charged to incidental expenses and miscellaneous claims.

On motion of Mr. Nelson of Ward Nine,

Ordered, That there be allowed and paid to the Clerk of the Common Council the sum of $500 for extra services during the present year, in preparing the proceedings of the Common Council for publication.

On motion of Mr. Gray of Ward Twelve,

Ordered, That all matters of an unfinished nature in the hands of the several joint standing committees be referred to the next City Council.

VOTE OF THANKS TO THE PRESIDENT.

Mr. Keith of Ward Fifteen said there was not any duty more pleasant than that which he rose to perform, in offering a vote of thanks for the genial bearing, dignity, courtesy and impartiality of the presiding officer, which was as follows:

*Resolved*, That the thanks of the Council be and are hereby tendered to William G. Harris, Esq., for his genial bearing towards the members of the Board, and the uniform dignity and courtesy and the impartial manner in which he has discharged the duties of presiding officer the past year.

He had but a single word to say on the subject. A resolution to be of any value, should be just and strictly true, or it loses its value; as a French philosopher says, nothing is beautiful if not true. All would agree with him in ascribing to the presiding officer the several qualities comprised in this resolution, and that trait which is a rare and uncommon one, if not of the highest parliamentary knowledge, the practice of impartiality and a magnanimity to acknowledge an error when convinced of being wrong.

Mr. Osborn of Ward Six, said it gave him sincere pleasure to indorse what had been so well said, and to give his testimony to the conscientious discharge of the duties of the presiding officer, and to the courtesy and affability which made his presence a pleasure. It was difficult always to give satisfaction in such a position, but on looking back he was unable to recall an act or a word which would call forth a painful reminiscence.

The resolution was unanimously adopted by a rising vote, and the President taking the chair addressed the Council as follows:

"*Gentlemen of the Common Council:* The year of our official service is well-nigh ended. Through your kind preference, expressed at the organization of the City Government, I have had the honor to preside over your deliberations, and a brief allusion to some of the subjects which have engaged your time and attention, may not be unsuited to this occasion.

You have been called upon to make large appropriations for the widening and grading of streets —improvements which ought long ago to have been considered, and which could have been made at a comparatively small expense. They have, however, been deferred until the growing wants of the city have seemed to admit of no further delay, and your immediate action has evinced wisdom and good judgment in the matter. Under the present administration, the widening and grading of Tremont street has been consummated. Hanover street has been widened in part, and, by concurrent action, is to be widened to sixty feet in its entire length. Atlantic avenue is well under way and Broadway extension is being rapidly pushed to a completion. Other projects, looking to a more direct means of communication, and greater facilities for travel, have also been carried through.

During the year, the work of raising the Church Street District, and grading the same, has been accomplished in a manner highly creditable to those who have had it in charge.

The improvements made in this District have forced upon our attention the necessity of raising the Suffolk Street District, but the consideration has not resulted in definite action on your part.

You have, too, been called upon to consider the subject of the extension of Washington street to Haymarket square; the propriety of securing land for a park; of an additional supply of water, and also of establishing a Board of Street Commissioners. The Public Library, rapidly growing in public favor, has been liberally provided for at your hands, and the City Hospital, so beneficent in its designs, has likewise shared your fostering care.

The cause of education has not been overlooked, for the schoolhouses which have been erected, so

admirably adapted to the purposes for which they were intended, stand as monuments of your interest in our common school system. Your attention has often been directed to the institutions at South Boston and Deer Island, and the poor and insane have shared in your sympathy.

The East Boston Ferry question, which has engaged the attention of your predecessors, has reached a conclusion by the purchase by the city of the franchise and equipments of the corporation.

I will not detain you by referring to the numerous other subjects which have come before you for consideration, but I can cheerfully bear witness to the fact that you have given to all of them careful thought and deliberation.

Your weekly meetings indicate but a small amount of the time spent in patient examination and discussion of them. The frequent and necessary meetings of your different joint and special committees disclose more fully the amount of work which has been performed, and the carefulness with which you have considered the subjects affecting the honor and interests of our city.

That mistakes may have been made I will not deny, but as a whole, it appears that the improvements made and the measures inaugurated are such as will, on investigation, be pronounced judicious.

The Auditor's books indicate a considerable increase of the city debt, but it should be borne in mind that a further increase will not necessarily follow, as the expenses already incurred for laying out and widening streets will be offset in part by the amounts to be received under the betterment law. That the expenses of a municipality enlarged in territory and population will be large, there can be no doubt. The Boston of today is not the Boston of fifty or even ten years ago. She is now in the full tide of her prosperity, with means increased to meet her growing wants. For years to come these wants must be large, and should be provided for with a *discreet* but *liberal* hand. Progressive in her tendencies, desirous of repairing errors in the past, errors which have entailed large outlays, she may well hope to maintain her position as a great commercial and mercantile city.

I desire, before closing, to acknowledge the many acts of official courtesy extended by His Honor the Mayor, and the Chairman of the Board of Aldermen. With all the members of the City Government my relations have been agreeable. Gratefully I refer to the assistance rendered by the efficient clerk of this body; his valuable services are too well known to require further comment. And now, gentlemen, I turn to you as associates in the administration of the government, and thank you most sincerely for the many acts of courtesy and regard of which I have been the recipient. As I intimated on accepting the position you assigned me, the duties of a presiding officer were entirely new to me, but the indulgence then asked has not been withheld. If I have succeeded in any degree in meeting your expectations, it has been because you have generously sustained me, and I can refer to no word or deed of yours which has rendered my position other than pleasant. In this closing hour permit me to say, that if any decision has appeared hasty or has in any way disturbed you, forget it when I assure you that I have endeavored to discharge the duties of the chair with a regard to the best interests of the city, and with a strict impartiality.

The expression of your kind regard, now placed on record, I shall always cherish as among my most valued remembrances, and many of the associations here formed will live long in memory as choice mementoes of the past.

That all the blessings that heart can crave may crown your lives is the wish of your retiring President."

On motion of Mr. Braman of Ward Six the President was requested to furnish a copy of his Address, to be bound up with the Journal.

At about nine o'clock the Council adjourned *sine die*.

# CITY OF BOSTON.

## Proceedings of the Board of Aldermen,

## JANUARY 1, 1870.

An adjourned and final meeting of the Board of Aldermen was held at noon today, Mayor Shurtleff presiding.

PETITIONS PRESENTED AND REFERRED.

Russell & Phelps, and others, that Brattle street be repaired, &c., and the street rails be removed therefrom. Referred to the Committee on Paving.

REPORT OF SEALER OF WEIGHTS AND MEASURES.

The quarterly report of Wm. F. Reed, sealer of weights and measures for the Northern district, was presented, showing the receipts by him for the quarter ending December 31, 1869, to have been $288 55. The report was placed on file.

REPORT OF INSPECTORS OF PRISONS.

The second semi-annual report of the Inspectors of Prisons was presented in print.

PAPERS FROM THE COMMON COUNCIL.

The following orders were passed in concurrence:

Order to pay the Clerk of the Common Council $500 for extra services in preparing the journal for publication.

Order providing for the binding of the City Documents.

The report of the Committee on the Church Street District was accepted, and the order for the discharge of the Commissioners was passed, in concurrence.

The report of Committee on the Reduction of the City Debt, was accepted, in concurrence.

The order to refer all matters of an unfinished nature in the hands of the several joint standing committees, to the next City Council, was passed in concurrence.

The report and orders relating to the Suffolk Street District, were referred in concurrence to the next City Council.

BETTERMENTT ON TREMONT TTREET.

The orders for the assessment of betterments on Tremont street, between Court street and West Chester avenue, was taken up as unfinished business.

Alderman Baldwin stated that he differed with his associates in relation to the assessment of these betterments. He was of opinion that the administration of the law should be as little obnoxious as possible, and he could see no reason why an estate on the corner of Tremont and Court streets could be worth one dollar more on account of the widening of this street, and in the opinion of the committee itself, the betterment was so little that but $10,000 was assessed beyond the line he proposed in one direction, and $4500 in the other. In view of the fact that this is a matter which will affect the policy of the city in future, may prevent the bringing of law suits, he hoped the subject would be fully considered; and he moved that the report be recommitted, with instructions to the committee to confine the betterments between West and Dover streets.

Alderman Talbot stated that the order would be perfect, by moving to amend, by striking out so much as relates to the betterments above Dover street and below West street.

Alderman Baldwin said he would amend his motion to comply with the suggestion.

Alderman Bradlee had no doubt the principle adopted by the Committee was the correct one, and he should vote against the amendment.

Alderman Pratt suggested that the amendment should include all below Boylston street. It was not improbable that the next City Council may widen Tremont street below Boylston street, to include the removal of Scollay's Building, when another assessment may be required upon abutters below Boylston street. He moved an amendment to strike out West street, and insert Boylston street.

The amendment was accepted. Alderman Baldwin stating that he believed that to be just.

The amendment was opposed by Aldermen Bradlee and Talbot, and was lost; Aldermen Baldwin, Pratt and Van Nostrand in the affirmative, all of the other Aldermen in the negative.

The order, as reported, was unanimously passed, as was also the additional order.

REPORTS OF COMMITTEES.

Alderman White, from the Committee on Health reported in favor of the petitions of J. F. Mayo and Reuben L. Garlick to build stables; also, on petition of Michael Gillegan, to build a stable. Accepted.

Alderman White, from the Committee on Licences, reported in favor of the petition of John Connor to give an entertainment at the Olympic Theatre, and leave to withdraw on petition of Thos. J. O'Connor for leave to sell papers. Severally accepted.

Alderman Hawes, from the Committee on Steam Engines, reported in favor of the petition of H. L. Batchelder for a steam engine at No. 51 Harrison avenue. Accepted.

Alderman Talbot from the Committee on Streets, reported leave to withdraw on the petition of David Snow and others, for the widening of Merchants' row; of the Tremont Improvement Co., for the extension of Sterling street to Washington street; also on petition of William H. Hill and of Margaret Bralley; on petition of Joseph W. Ward for the extension of Ninth street; and no further action relative to a street across the South Bay and of the extension of Shawmut avenue. Severally accepted.

Alderman James, from the Committee on Paving, reported leave to withdraw on the petition of John F. Farrington and others, that Clarendon street, near Chandler street, be graded, &c., the same being a private way. Accepted.

Alderman Talbot, from the Committee on Streets, submitted the final report of that committee, in print, which was accepted.

FEDERAL STREET.

The widening of this important thorougfare, between the foot of Summer street and First street in South Boston, has been fully completed, with the exception of the widening of the bridge; and the street has been paved. The betterments on this street, amounting to $70,978 35, are considered moderate—most of the expense of the widening falling on the city, as it should, the improvement being more of a public than local benefit.

BROADWAY EXTENSION.

The building of the structures and bridges on this new avenue, between South Boston and the city proper, owing to the magnitude of the work, has been only partially completed; but it is expected that it will be finished, and the street open for travel to Albany street, by spring or early in the summer.

The committee would respectfully suggest that the present terminus of this avenue, at the junction of Albany and Way streets, renders it of much less importance as an outlet to South Boston than it would be if continued to Washington street, making an important connection there, and opened into Pleasant street; which, if widened, would make this a continuous thoroughfare across the city to the Providence Depot, the Common and Public Garden, Beacon street and the West End.

TREMONT STREET.

The widening of this street was nearly completed during last year, there remaining only for the committee of the present year the formidable undertaking of removing Hotel Pelham. The committee say this was done in four days, and the hotel was removed a distance of thirteen feet and ten and three-fourths inches.

The raising of the grade of that portion of the street bordering on Church Street District, six feet at the lowest point, and also about eighteen inches at Eliot street, has greatly improved it, and it is now considered the most important thoroughfare in the city next to Washington street.

HANOVER STREET.

Hanover street was widened between Court and Blackstone streets, by a resolve of the City Council approved December 31, 1868; and from Blackstone to Commercial street by a resolve approved October 15, 1869.

The widening between Court and Blackstone streets has been completed, with the exception of that portion between Elm and Friend streets, which the committee have allowed to stand undisturbed on account of the probable extension of Washington street to Haymarket square and Portland street.

If these buildings had been cut off to widen Hanover street, and Washington street had been afterwards extended, it would necessitate a second have deferred action on this part of the street undemolition of the same buildings at a large additional expense. For this reason the committee til the question of the extension of Washington street should be decided.

The widening between Blackstone and Commercial streets has not yet been commenced, as it is deemed advisable not to disturb the occupants of the buildings during the winter months; but the work of widening will undoubtedly be commenced early in the spring.

ATLANTIC AVENUE.

The work of building this Marginal street across the wharves and docks, was commenced during the past summer, and the sea wall has been nearly completed. A portion of the buildings on Rowe's, India and Central wharves have been demolished, and removed to make room for the contractor to deliver the filling from Fort Hill.

The building of the street has been contracted for, and is to be entirely completed Sept. 1, 1870.

It is probable that arrangements will soon be made to fill the whole or a portion of the docks between Atlantic avenue, India and Commercial streets, in accordance with the law passed by the last Legislature, the filling to be taken from Fort Hill.

COLUMBUS AVENUE.

This avenue has been laid out during the year its entire length on the Back Bay Lands, from Northampton to Ferdinand street.

The portion between Ferdinand and Church street was laid out in 1868.

No progress has been made during the past year in negotiating with the Boston & Providence Railroad Corporation for the extension of this important avenue directly to Park square.

FORT HILL.

A plan for the laying out and grading of the streets on Fort Hill was matured by the committee during the early part of the year, and the streets laid out accordingly the twenty-third of July last.

A contract for the removal of a portion of the hill has been made with B. N Farren, and the work of grading commenced, embracing the territory between Purchase, Oliver, and Wendell streets, Humphrey place and Washington avenue, the earth to be taken to Atlantic avenue. Mr. Farren's contract terminates September 1, 1870, at which time he agrees to fill the whole of Atlantic avenue, and to remove so much of the earth from the above territory as will be required to fill the avenue.

Arrangements will doubtless be made during the present winter for the city to fill the docks between Atlantic avenue, India and Commercial streets from the Fort Hill Territory, in accordance with the law passed by the last Legislature, so that the work can be begun as soon as, if not before, Atlantic avenue is completed.

STREETS IN ROXBURY.

Surveys and plans were made during the year, by order of the committee, of the estates and property that would be affected by the extension of Harrison avenue from Eustis to Warren street, and also for the straightening and extension of Shawmut avenue between Vernon and Bartlett streets.

There seemed to be a general desire that the extension of Shawmut avenue should be acted upon first; and the parties interested were notified of the city's intention to lay out the street by two ronts proposed. The Committee also gave two public hearings upon the same subject. The first routee proposed was to extend Shawmut avenue from its present terminus at Washington street by a direct route, straight, to connect with the other portion of the avenue near the corner of Bartlett street. The second route was to begin at the corner of Vernon street, and to run to the easterly end of Sargent's brick block on Washington street, and from thence though the narrow street in front of the Universalist Church, cutting off a portion of the yard to the Church, and also to widen a portion of Shawmut avenue beyond Dudley street, so as to make it fifty feet in width. There was such a diversity of opinion as to which of these routes should be adopted, that the matter was delayed. till it was so late in the year that no further action was taken upon the subject.

The committee are of the opinion that the extension of Harrison avenue is the most important of the two improvements, and should be acted upon first; and they would recommend that the extension of this street should be considered as among the first improvements of the coming year in that part of the city.

A petition has been before the committee for the extension of Albany street over a portion of Mt. Pleasant, so as to connect with Warren street, opposite Walnut avenue; but they found a diversity of opinion upon this subject, as well as on the question of the extension of Shawmut avenue—some persons residing in that locality claiming that Albany street should be extended directly to Dudley street, opposite Greenville street. The committee have not given the question such careful consideration as will enable them at the present time to make any definite recommendations upon the subject.

Several street improvements, however, have been made in this part of the city during the year, among which are the extension of Vernon street from Cabot to Tremont street; the laying out and extension of Mount Warren avenue (now Copeland street), between Warren and Moreland streets; and the extension of Zeigler street from Warren street to Guild row. Various other streets have been accepted and laid out during the past year that were formerly private streets, the abutters releasing to the city grade damages, and all their rights in the land.

The committee have devoted considerable time in examining many of the private streets in Roxbury that the abutters desire to have accepted as public streets, and have endeavored to adjust various views as to grade and other damages.

They have no doubt but that their labors in this direction will result in many of the streets being accepted and laid out another year.

EXTENSION OF WASHINGTON STREET.

The resolve to extend Washington street to Haymarket square and the opening of Portland street into it, passed the Board of Aldermen late in the year, but failed to pass the Common Council at its last meeting. The extension of this street when first proposed early in the year was generally favored by the public and the press; and several petitions for its extension to Haymarket square and Portland street were presented to the City Council, signed by a large number of the heaviest tax-payers in the city. A remonstrance against its extension to Haymarket square was also presented to the City Council towards the close of the year.

The committee gave several public hearings to these petitions, and also one hearing to the remonstrants.

That new and better avenues are needed leading to the depots and bridges at the North End, no one will deny; but there seems to be a diversity of opinion, the more the subject is considered, as to which of the various proposed routes is the best.

After hearing the parties interested and a careful consideration of the subject, the committee would state that they are not fully of the opinion that the extension of Washington street, as proposed, to Haymarket square and Portland street would be the wisest expenditure of money. The extension of Washington street by these routes necessarily cuts the estates in such a manner as to cause a large amount of damage to the property through which the street passes.

And there seems to be a growing public opinion that the extension of Devonshire street to Dock square, and the removal of the old block of buildings standing at the lower side of the square, the widening of Sudbury street and the removal of Scollay's building, thereby extending Tremont street by a wide avenue to Haymarket square, taken together with its connections with various other streets at the North End, would afford more relief and a better distribution of travel than the extension of Washington street as proposed—that street being already overcrowded and the extension of which would still add to the difficulty.

The committee would therefore recommend that this important subject should receive such early attention by the next City Government as its importance seems to demand.

ELIOT STREET.

The resolve to widen this street on its southerly side to fifty feet, between Washington and Pleasant streets, passed the Board of Aldermen the 22d

of November last and was sent to the other branch of the City Council for concurrence and passed at the last meeting of that body.

The committee deem the widening of this street an important improvement. Between Tremont and Pleasant streets its average width is only about thirty feet. The great influx of travel by the Boston & Providence Railroad—and that increasing yearly—taken in connection with Columbus avenue, which terminates opposite this street, has necessitated its widening, which will probably be consummated during another year.

DUTIES OF COMMITTEE.

It must be evident, from the unprecedented amount of work done, that the duties of the committee the past year have required a large amount of time, and have been very laborious.

They have held eighty-five meetings during the year, have given twenty-three public hearings to parties, and have made twenty visitations to various parts of the city, Roxbury, South and East Boston.

Besides the above duties, they have been obliged to have daily interviews and informal meetings with parties interested in the settlement of damages, and other subjects relating to laying out and widening streets.

ORDERS PASSED.

On motion of Alderman James,

Ordered, That the Board establish the grade of Ontario street, between Swan and sixth streets, as shown on a plan made by the City Surveyor dated Dec 29, 1869, approved by the Committee on Paving and deposited in the office of said City Surveyor.

Ordered, That whereas the Metropolitan Railroad company have neglected to remove their tracks from Washington street, between Eliot square and Pynchon street, as ordered by the Board of Aldermen, Nov. 15, 1869, the Superintendent of streets be directed forthwith to remove the tracks of said Metropolitan Railroad Company, from Washington street between Eliot square and Pynchon street at the expense of said railroad company.

On motion of Alderman Talbot,

Ordered, That there be paid to Thomas Richardson, executor, and others, the sum of $300 for legal expenses and damages incurred in case of the heirs of Jacob Kendall vs. the city of Boston in the matter of the widening of Hamilton street, to be charged to the Fort Hill Improvement Loan.

Ordered, That there be paid to George T. Bigelow and others $2750 for land taken and damages occasioned by the widening of Federal street, by a resolve of December 31, 1869, to be charged to the Appropriation for Laying Out and Widening Streets.

Orders of notice were ordered severally to the proprietors of T wharf, Commercial, Long, Lewis and Mercantile wharves, to J. & E. Quincy and to person unknown, to fill up certain docks owned by them on or before July 1, 1870, in default thereof the city will proceed to fill them.

On motion of Alderman Fairbanks.

Ordered, That the sum of $78.79 assessed upon Isaac Fenno for a sewer in Warren street, be abated, and the same amount assessed upon the heirs of Ralph Haskins.

VOTE OF THANKS TO THE MAYOR.

On motion of Alderman White,

*Resolved*, That the thanks of this Board are due, and they are hereby tendered, to His Honor the Mayor for the punctuality with which he has attended its meetings the past year, and for the courtesy and impartiality manifested by him in presiding over its deliberations and in facilitating the business of the Board.

Alderman White, speaking to the resolution which he had presented, commented on the very cordial relations which had subsisted between His Honor and the members of the Board, and the regret which those who were about to retire experienced in severing those intimate relations. He believed there was no member of the Board who did not wish the highest success in the future to him who had presided over their deliberations during the past year.

The resolve was passed unanimously by a rising vote, when the Mayor responded as follows:

*Gentlemen of the Board of Aldermen:*

I feel duly sensible and grateful for the vote which you have just passed and communicated to me. It is but a verbal expression of that kindness which you have extended to me during the year that has just passed, in every manner, on all occasions. I recognize in it the same honest good will that has made all our intercourse with each other so pleasant, agreeable and harmonious; and I return to you my sincere thanks for the sentiment, assuring you that I fully appreciate the friendly feelings which alone could have dictated such a resolution. If my intercourse with you has been such as to have met your approval, it has been on my part but the reflection of that courtesy and respect which you have always so kindly extended to me.

It may seem to you superfluous for me to say in this presence that the year which has just been brought to a close is one of the most eventful as to great public improvements of any that has ever occurred in the history of our ancient municipality; for you, of all others, know it to be true, because you have partaken largely in the deliberations and labors that have been productive of the surprising results, which all can witness. All the great interests, and the small ones too, have been subserved. All have received your special attention, and have been subject to your most careful and thoughtful consideration. You have been uncommonly patient and painstaking in all your investigations; and before arriving at determinations on important matters affecting the rights, privileges, or even the peculiar notions of others, you have given satisfactory hearings, and most patiently listened to the opinions of those who have had peculiar ideas or individual opinions on the questions which have been brought before you. No one can complain in any case that you have been inattentive to reasonable demands, or that you have been hasty in legislation or discourteous in your demeanor. Your labors have been productive of great and distinguished results. Boston will rejoice in years to come in the great accomplishments brought about during your year of administration. Need I rehearse to you that you have promoted the arts of civilization and of good learning by the erection of schoolhouses and the cultivation of those things which pertain to the highest order of education? and that you have studied the wants of all, and have striven to remedy deficiencies and hindrances that prevented the accomplishment of things and works desired. all the great and important interests have most certainly been benefited by what you have done in this hall during the past year. You have caused avenues to be built and streets to be widened and extended for business and for travel. You have raised the low and sunken places, and made them habitable and plasant. At your bid all things that would in any way be for the good of our city has been done. You have faithfully performed your duties, and most undoubtedly you will have your reward, not only in the plaudits of the citizens, but in your own approving consciences. You have well deserved of those who have confided to you the management of their trusts, for you have honored your positions by most faithful service. You have endeavored in all things to lighten the burdens of your fellow citizens, and to ameliorate the condition of all whose lot has been cast within our city. Food and raiment have been liberally bestowed upon the hungry and ragged. The soft pillow has given rest and quiet slumber to the weary. Music with its harmonizing effects has been free to all. Charity, in active benevolences and in forstalling the invasion of want and distress, has been dealt out by you in no stinted manner. Under your ministrations Boston has in reality become a free city. Our avenues are now all free; no tolls nor taxes now burden them; our citizens are now free to go and come when and where it listeth; all are free, and all can enjoy the fullest liberty compatable with law and order .

But, my friends, the time draws near when our present agreeable official relations will be severed perhaps forever; when many of you will be called to part from each other.

This Board will soon be no more; and many who have met within this hall, almost daily for the past twelve months, will quit these seats that they may be filled by others. I trust that none of you will leave thus but with the most agreeable feelings, and with pleasant remembrances of the associations which have clustered around them. I feel assured that you will, each of you, bear away from this place the kindest regards for each other. As for me, I assure you, as time wears on, and age shall creep most certainly upon me, no associations of the past will be more pleasant than those which have originated here; and though the larger

part of this Board will retire from their active duties of these their present places, I shall always most dearly cherish the friendships which I have here made; and no persons will ever be more welcome to my remembrance than the Aldermen of the year 1869.

Gentlemen, in leaving the seat which by your indulgence I have occupied with that hearty support which is seldom accorded to any presiding officer, I bid you all a most affectionate farewell; and may the blessings of our Heavenly Father be with you and upon you all in your further journey of life; and may health, happiness and prosperity be yours through a long and unclouded future!

VOTE OF THANKS TO THE CHAIRMAN.

Alderman Pratt said that in the closing hours of this session, as our official relations are about to terminate, our minds naturally revert to the associations of the past year. I believe I express the sentiments of my associates who have assembled at this board, that the retrospect recalls none but the most satisfactory feelings, and that we may congratulate ourselves that in parting, it is with the most cordial personal friendship and a hearty desire that the coming years may bring to each in their bountiful stores the choicest blessings of our common Father.

Entertaining these sentiments, Mr. Mayor, it is with a profound appreciation of the privilege which has assigned to me the duty—in this case no mere formality—of recognizing the services of our chairman, who carries with him to his retirement, the kind regards of us all, by offering the following resolve:

*Resolved*, That the thanks of the Board be presented to Benjamin James, Esq., its retiring Chairman, for the faithful manner in which he has discharged his duties, and for the valuable aid and assistance which by his long experience in this branch of the government he has been able and willing to render to us his associates.

The resolve was adopted unanimously by a rising vote.

Alderman James addressed the Board as follows:

*Gentlemen of the Board of Aldermen:*

For the very complimentary vote just passed, please accept my heartfelt thanks.

To nine of the members of this present Board this is our last official meeting, yet the many pleasant associations have left an imprint on our memories that cannot be effaced.

As chairman of this Board, I claim the right, as I feel the pleasure, of bearing testimony to the able and faithful manner in which your varied and arduous duties have been performed.

None but members of this Board can fully comprehend the magnitude and importance of the measures proposed for our consideration and decision at every session. I am sure that a careful survey of the official business of the year now closed must be a source of just pride to every member of the Board of Aldermen for the year 1869.

During no year since the formation of this City Government have so many important measures been consummated and considered. Permit me to refer, in brief terms, to a few of them.

Widening of Hanover street from Court street to Blackstone street, and the subsequent passage of the orders to complete the widening to Commercial street.

Widening of Federal street from Summer to First street.

Widening of Tremont street from Boylston street to the Railroad Bridge.

Widening of Devonshire street from State street to Milk street, and raising the grade of Devonshire and Water streets.

Construction of Atlantic avenue, consisting of sea-wall partial filling, settling of many land damages, and in contracting for the entire completion of this grand improvement during the present year. The filling is to consist almost entirely of earth, to be removed from Fort Hill.

Extension of Broadway from Federal to Albany street, a project needed and agitated for many years by the citizens of South Boston. I trust the incoming Government will deem it for the best interests of the city to still farther extend this broad avenue in a direct line, and as originally contemplated, to Washington street.

The whole extension is under contract, and is so far advanced as to promise completion in the early part of the year.

Completion of the extended improvement of the Church street district, which involved the raising of a territory comprising nearly fourteen acres, and some portions to an elevation of seventeen feet.

The erection of a number of the finest and most convenient schoolhouses ever built by the city of Boston. In addition to the above, this Board have carefully considered and passed the necessary resolves for the widening of Eliot street, extension of Washington street to Haymarket square, widening and extension of Portland street, purchase of the East Boston Ferries, raising and grading the so-called "Suffolk street District."

The large increase of travel in the streets of Boston, and the recent additions of territory, have made larger demands upon the Paving Department than ever before.

In addition to its ordinary business, the Paving Department has had charge of the construction of Atlantic avenue, and the extension of Broadway. The Committee on Paving, with their Superintendent, have given unusual attention to finding a substitute for the cobble-stone pavement now so generally disliked. The small granite blocks are far superior to any stone pavement now in use.

Wooden pavements having been so extensively and satisfactorily used in New York, Chicago, and other large cities, this committee have favored the laying of enough in this city to submit it to a fair trial.

Accordingly the "Nicolson wooden pavement" has been laid in East, School and Richmond streets; also on that part of Tremont street between La Grange and Eliot streets; the "McGonegel wooden pavement" on portions of D and Bulfinch streets; also on that part of Tremont street between Winter street and Temple place; the "Paul wooden pavement" on that part of Tremont street between Pleasant street and the railroad bridge; the "Stafford wooden pavement" on Court square and part of Court street.

As chairman of this important committee for the past four years, I desire to bear testimony to the faithful and intelligent performance of the arduous duties of the office of Superintendent of Streets by Charles Harris. This has always been an office of trust and importance, but the present rapid increase of paving, the larger amount of extra work now performed by this department, make it a position requiring a combination of engineering skill, clerical ability, practical knowledge of materials, executive force in handling large numbers of men, possessed in a remarkable degree by Mr. Harris.

As chairman of the Committee on Public Lands, I take pleasure in stating that the sales of lands belonging to the City of Boston during the past year amount to $464,153 77, a sum larger than the aggregate sales of any year since 1858.

In conclusion, I feel assured that all will join me in acknowleding the pleasant intercourse with, the hearty cooperatien and valuable assistance of, His Honor Mayor Shurtleff in all our official duties; also, of the faithful and indispensable services of our most efficient City Clerk, of our worthy Clerk of Committees, and of the Heads of Departments.

I wish you all, fellow-members of the Board, your full measure of health, happiness, and prosperity.

On motion of Alderman Talbot,

Ordered, That all matters of an unfinished nature in the hands of the several standing committees of this Board be referred to the next Board of Aldermen.

On motion of Alderman Fairbanks,

Ordered, That the final proceedings of the Board, together with the addresses of the chairman, of his Honor the Mayor, be printed for the use of the members of the Government. The Board then adjourned *sine die*.